



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the fourth periodic report of Armenia*

I. General information

1. Please clarify the status of the Covenant rights in the State party's Constitution and, in particular, any distinction between the provisions under chapter 2 and those under chapter 3 in terms of justiciability. Please provide information on the cases in which Covenant rights have been applied or invoked by the courts, including examples thereof. Furthermore, please indicate the measures taken to strengthen the judicial remedies available in cases of violation of Covenant rights and, in particular, the steps taken to ensure that free legal aid, guaranteed in the Constitution, is easily accessible to persons whose Covenant rights have been violated.
2. Please provide information on the progress made in meeting the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please report on the measures taken within its adaptation framework to address the adverse effects of climate change on the enjoyment of economic, social and cultural rights, particularly by those living in disaster-prone areas and other disadvantaged and marginalized individuals and groups.
3. Please provide information on the measures taken to protect human rights defenders from harassment, intimidation and violence, and to create an enabling environment for civil society. Please also provide information on cases of harassment, intimidation and violence against them, including by the media and governmental officials, after the "Velvet Revolution". Furthermore, please provide data on the number of cases reported, investigated and prosecuted, and the punishments imposed on the perpetrators.
4. Please provide information on any legislative and policy measures taken to ensure that business entities respect the rights under the Covenant and apply human rights due diligence in carrying out their business activities.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

5. In order for the Committee to assess whether the State party is using the maximum available resources to realize the rights recognized in the Covenant, please provide information on the evolution over the past 10 years of:

- (a) The proportion of the population living below the poverty line as defined at the national level, before and after taxes and transfers;

* Adopted by the pre-sessional working group at its sixty-ninth session (18–22 October 2021).



(b) The levels of income inequality, defined as the ratio between the total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population, before and after taxes and transfers;

(c) The levels of wealth inequality, defined as the ratio between the assets owned by the richest decile of the population and the assets owned by the poorest 50 per cent of the population;

(d) The proportion of public revenue that is generated through taxes;

(e) Tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and petrol and diesel) and the percentage of total revenue that is generated from personal income tax collected from the richest 10 per cent of the population;

(f) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending, including employment, education, food, health, water and sanitation, social security, housing and culture;

(g) Inflation-adjusted absolute levels of social spending;

(h) Military expenses as a percentage of gross domestic product and of the public budget.

6. Please provide information on the outcome of the legislative and policy measures taken by the State party to combat corruption in the public sector,¹ particularly among members of parliament, judges and prosecutors, and indicate the challenges faced in implementing those measures and the steps taken to overcome them. Please also provide information on the cases of corruption filed, investigated and prosecuted, including annual statistical data, and the sentences passed on those found guilty. Furthermore, please provide information on the measures taken to combat corruption in the private sector and illicit financial flows.

Non-discrimination (art. 2 (2))

7. Please update the Committee on the status of the draft law on ensuring legal equality,² and the efforts undertaken to ensure that the draft law is fully in line with article 2 (2) of the Covenant with a view to prohibiting all forms of discrimination in all areas relating to economic, social and cultural rights and on all prohibited grounds, including sexual orientation and gender identity. Please provide information on the measures taken to address the low rate of reporting of discrimination, allegedly due to societal pressure or stigmatization, and to improve access to justice, especially by marginalized and disadvantaged individuals and groups, including migrants, people belonging to minority groups and lesbian, gay, bisexual, transgender and intersex persons.

8. Please indicate any specific legislative and/or policy framework adopted to protect minority groups, including the Assyrian, Kurdish, Russian and Yazidi minority groups. Please provide information on the measures taken to address the reported discrimination and marginalization faced by persons belonging to minority groups in accessing health care, the labour market, adequate drinking water and food, education and other social services that are essential to their enjoyment of Covenant rights, and the effectiveness of such measures. Furthermore, please report on the measures taken, and the outcome thereof, to address the situation of Yazidis who have lost their land in the process of land privatization.

Equal rights of men and women (art. 3)

9. Please specify the measures taken to improve women's representation in decision-making positions in both the public and the private sectors and provide updated statistical data in this regard. Please provide information on the measures taken to enhance gender-

¹ E/C.12/ARM/4, paras. 45–50.

² Ibid., para. 68.

sensitivity within the public administration system in order to improve women's access to public services that are essential to their enjoyment of Covenant rights.

10. Please provide information on the progress made in tackling the disproportionately low labour market participation and employment rates and high unemployment rate among women, especially young women. In particular, please indicate the measures taken to address the adverse impact of unpaid care work on women's employment and to eradicate the horizontal gender segregation in the labour market. Please specify the measures taken to rectify the large gender pay gap and to improve the classification of jobs to this end. In addition, please indicate any steps taken to abolish the list of professions declared hazardous for women.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

11. Please provide information on:

(a) The measures taken to reduce the high unemployment rate, particularly among young people and in urban areas, and to address the high incidence of young people who are not in employment, education or training;

(b) The effectiveness of the measures taken, including the Tax Code, and the outcome thereof, to facilitate the transition from the informal economy to the formal economy, particularly in the agricultural sector;

(c) The impact of the shift in the employment policy, under which the unemployment benefit has been replaced with active employment programmes, on unemployed persons, particularly unemployed women;

(d) Updated statistical data, disaggregated by sex, age group, geographical area (urban or rural) and *marzes* (regions), on labour market participation, employment, unemployment and underemployment.

Right to just and favourable conditions of work (art. 7)

12. Please clarify whether the State party's labour legislation protects the rights of all workers, regardless of their employment and other status, including migrant workers, and report on the enforcement of labour legislation. Please explain the impact of the introduction of limitations on the number of labour inspection visits and of the merger of the State labour inspectorate and State sanitary and epidemiological inspectorate, and specify the steps taken to address the concerns about the limited mandate and powers of labour inspectorate functions and the insufficient allocation of resources thereto. In this regard, please provide information on labour inspections carried out to inspect the working conditions of workers in the informal economy and self-employed workers. Please also provide information on complaints mechanisms for workers and on the complaints filed with the mechanisms, including the main areas of complaints and the remedies provided.

13. Please provide information on the coverage of the minimum wage and indicate any groups of workers that are not covered. Please also provide information on the amount of the minimum wage for the past seven years, and explain how the minimum wage is adjusted, and with what frequency, and the steps that the State party has taken to ensure that the minimum wage provides workers and their families with a decent living. Furthermore, please provide information on the enforcement of the minimum wage, including relevant statistical data and the sanctions imposed on employers in case of non-compliance.

14. Please provide information on the extent of occupational accidents and diseases, including statistical data, disaggregated by industry, sex and other relevant criteria, on the number of occupational accidents (injuries and deaths), the types of occupational diseases, and the numbers of cases of occupational diseases reported and of affected workers. Please indicate the measures taken to prevent occupational accidents and diseases and the

effectiveness of those measures. Furthermore, please clarify whether labour legislation and compensation schemes protect all workers in case of occupational accidents and diseases.

Trade union rights (art. 8)

15. Please indicate any steps taken to revise the Labour Code, the Law on Trade Unions and other related legislation with a view to addressing the reportedly excessive legal requirements imposed on workers regarding the exercise of their rights to strike, to join and form a trade union and to establish a national federation or confederation. Please clarify whether all workers, including those in the informal economy, self-employed workers, migrant workers, civilian personnel in the police and security services, public servants and law enforcement officers, are guaranteed the right to form and join trade unions. Furthermore, please provide information on the measures taken to empower workers to claim their rights.

Right to social security (art. 9)

16. Please provide information on the measures taken to address the reported shortcomings of social assistance benefits and social services, including limited coverage, exclusion errors and inadequate amounts of benefits. In this regard, please provide information on the coverage and the amount of social assistance benefits and on pick-up rates. Please also provide information on the main features of the ongoing reform in the social protection sector,³ and the progress made and challenges faced so far. In addition, please specify the measures taken, and the effectiveness thereof, to mitigate the economic hardship experienced by disadvantaged and marginalized individuals and groups disproportionately affected by the coronavirus disease (COVID-19) pandemic and the Nagorno-Karabakh conflict.

Protection of the family and children (art. 10)

17. Please provide information on the extent of the engagement of children in hazardous work, and the measures taken to address the reportedly large discrepancies between the official statistics and other surveys on cases of child labour exploitation and to tackle the root causes of child labour. Please report on the measures taken to protect the rights of working children to just and favourable conditions of work and to education. Furthermore, please provide information on the measures taken to support female-headed households with no or poor income.

18. In the light of the list of issues adopted by the Human Rights Committee,⁴ and the State party's replies thereto,⁵ please clarify the current status of ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and indicate the obstacles to concluding the ratification faced so far and the steps taken to overcome them. Please provide information on the measures taken to support victims of such violence and to ensure that they have access to livelihoods, social security benefits and health-care services.

Right to an adequate standard of living (art. 11)

19. Please provide information on the framework legislation and policy on housing adopted by the State party. Please explain the measures taken, and their effectiveness, to provide affordable housing, including social housing and rental housing, particularly for disadvantaged and marginalized individuals and groups, and to improve housing conditions. Furthermore, please report on the extent of homelessness in the State party and the measures taken to reduce homelessness.

20. Please explain the challenges that the State party has faced in facilitating poverty reduction and the measures taken to overcome them. Please provide information on the measures taken to reduce the increasing economic and social inequalities and the regional disparities between rural and urban areas in access to social services essential to the

³ Ibid., para. 135.

⁴ CCPR/C/ARM/Q/3, para. 6.

⁵ CCPR/C/ARM/RQ/3, paras. 14–19.

realization of economic, social and cultural rights, including water and sanitation facilities, electricity, the Internet and health-care services. Please also provide information on the effectiveness of social transfer and taxes to alleviate poverty and reduce economic and social inequalities. In addition, please provide information on the composite consumer price index and annual statistical data on the consumer price index during the reporting period.

21. Please indicate the extent of malnutrition and obesity and the measures taken to address them. Please also indicate any steps taken to protect those individuals and families living in poverty, without access to affordable commercial credit, from falling victim to usury to pay for medical and education bills.

Right to physical and mental health (art. 12)

22. Please provide information on the steps taken to increase the low level of budget allocated to the health-care sector and to ensure the sustainability of the resources invested in the sector. Please explain how effectively the reform measures taken by the State party have addressed the persistent challenges in the health-care sector, such as the high rate of out-of-pocket payment, the high dependence on inpatient care and regional disparities in access to good-quality health-care services. Please also provide information on the progress made in introducing a mandatory health insurance scheme and on the efforts made by the State party to ensure that the scheme enhances the availability, accessibility, affordability and quality of health-care services, particularly for disadvantaged and marginalized individuals and groups.

23. Please provide information on the measures taken, and the outcome thereof:

(a) To increase the provision of mental health-care services, especially community-based services, to enhance the qualification of medical professionals and to increase the proportion of the health-care sector budget allocated to mental health;

(b) To address the obstacles faced by migrants, lesbian, gay, bisexual, transgender and intersex persons, persons living with HIV/AIDS and drug users in gaining access to health-care services, including stigmatization, discrimination and compromised confidentiality of medical information by medical professionals, as well as legal liability for HIV transmission and criminalization of the use and possession of drugs;

(c) To tackle the high prevalence of tuberculosis.

Right to education (arts. 13–14)

24. Please explain the extent to which the State party has implemented the Committee's previous recommendation,⁶ particularly in relation to the impact of students' socioeconomic background on their school enrolment and academic achievement, school infrastructure, and budget allocation to the education sector. Please provide information on:

(a) The progress made towards the universal inclusive education system;

(b) The six schools with the status of special general education institutions;

(c) The measures taken to ensure that the students enrolled in those schools obtain comprehensive social development and are integrated into the general education system.⁷

25. Please provide information on the measures taken to address the disruption of education due to the COVID-19 pandemic and the Nagorno-Karabakh conflict.

Cultural rights (art. 15)

26. Please provide information on education in minority languages and the measures taken to preserve and promote the languages, history and culture of minority groups, including the Assyrian, Kurdish, Russian and Yazidi minority groups. Please also provide

⁶ E/C.12/ARM/CO/2-3, para. 23.

⁷ E/C.12/ARM/4, paras. 216–217.

information on the efforts undertaken by the State party to preserve and protect cultural and religious heritage sites.
