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## **Committee on Economic, Social and Cultural Rights**

### **Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights**

**Second and third periodic reports of States parties due in 2000**

**Armenia\***

[18 July 2011]

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

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## I. Introduction

1. This Report is submitted as second and third joint periodic report, in accordance with Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as “the Covenant”). The report provides information on the measures carried out in the period extending from 1999 to 2009 in relation to the implementation of the provisions of the Covenant.

2. The Report was elaborated in accordance with the Procedure for Elaboration and Approval of National Reports of the Republic of Armenia arising from international obligations of the Republic of Armenia, approved by the Decision of the Government of the Republic of Armenia No. 1483-N of 23 November 2007.

3. In accordance with the aforementioned procedure and at the initiative of the Ministry of Foreign Affairs of the Republic of Armenia, an interagency working group was established for the purpose of preparing the Report (the composition of the group was approved by the Decision of the Prime Minister of the Republic of Armenia No. 320 A of 21 April 2009), involving representatives from the following bodies:

- (a) Ministry of Foreign Affairs of the Republic of Armenia;
- (b) Ministry of Justice of the Republic of Armenia;
- (c) Ministry of Health of the Republic of Armenia;
- (d) Ministry of Labour and Social Affairs of the Republic of Armenia;
- (e) Ministry of Education and Science of the Republic of Armenia;
- (f) Ministry of Culture of the Republic of Armenia;
- (g) Ministry of Urban Development of the Republic of Armenia;
- (h) Ministry of Agriculture of the Republic of Armenia;
- (i) National Statistical Service of the Republic of Armenia;
- (j) Ministry of Economy of the Republic of Armenia;
- (k) Court of Cassation of the Republic of Armenia.

4. Representatives from the following bodies have also participated in the elaboration of the Report:

- (a) National Assembly of the Republic of Armenia;
- (b) Ministry of Territorial Administration of the Republic of Armenia;
- (c) Trade Union Confederation of the Republic of Armenia;
- (d) Staff of the Human Rights Defender of the Republic of Armenia.

5. The working group has cooperated with non-governmental organisations in elaborating the Report. A roundtable discussion on the Report took place on 9 September 2009, where around 40 representatives from non-governmental, as well as international organisations have participated.

6. The Report has been approved by the Government of the Republic of Armenia (October 15 2009).

7. The amendments to the Constitution of the Republic of Armenia have been adopted through national referendum on 27 November 2005. Article 1 of the Constitution declares

that the Republic of Armenia is a sovereign, democratic, social state governed by the rule of law. The state shall ensure the protection of fundamental human and civil rights and freedoms in conformity with the principles and norms of the international law. Article 48 of the Constitution of the Republic of Armenia almost entirely defines the fundamental provisions, which are also stipulated by the Covenant. Thus, the main issues the Republic of Armenia faces in economic, social and cultural fields are the following:

- (a) To protect and patronage the family, the motherhood and the childhood;
- (b) To contribute to the employment for the population and to the improvement of working conditions;
- (c) To foster housing construction and contribute to the improvement of housing conditions of each citizen;
- (d) To implement healthcare programmes for the population and to contribute to the creation of effective and affordable conditions of health services;
- (e) To contribute to the participation of the youth in political, economic and cultural life;
- (f) To implement programmes on prevention and medical treatment of disabilities, to contribute to the participation of persons with disabilities in social life;
- (g) To support the development of free higher and vocational education;
- (h) To support the development of science and culture;
- (i) To ensure decent living standards for the elderly.

8. The Constitution of the Republic of Armenia has adopted an approach of direct transposition of international treaty norms into the national legislation. This implies that according to the constitutional provisions, international treaties make an integral part of the legal system of the Republic of Armenia and prevail over national laws. Therefore, according to Article 6 of the Constitution, in case there are contradictions between the norms stipulated in the ratified international treaties and those of the national laws, the provisions of the treaty shall prevail.

9. Article 4 of the Law of the Republic of Armenia “On Legal Acts” defines the types of legal acts adopted in the Republic of Armenia. According to part 4 of the aforementioned Article, treaties ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia and entered into force in accordance with the Constitution and laws of the Republic of Armenia shall be deemed to be legal acts.

10. Article 5 of the Law “On International Treaties of the Republic of Armenia,” adopted by the National Assembly of the Republic of Armenia on 22 February 2007, establishes the relationship between international treaty and the laws of the Republic of Armenia. An international treaty of the Republic of Armenia entered into force in the manner prescribed by the aforementioned law shall make an integral part of the legal system of the Republic of Armenia. The norms of the international treaty of the Republic of Armenia that entered into force shall have direct effect in the territory of the Republic of Armenia, which implies that the provisions of the Covenant, as well as of international treaties of the Republic of Armenia may be directly applicable in the courts of the Republic of Armenia.

11. Article 6 of the Constitution of the Republic of Armenia, as well as the aforementioned Article of the Law “On International Treaties of the Republic of Armenia” prescribes that in case a ratified international treaty stipulates norms other than those envisaged by the laws of the Republic of Armenia, the norms of the ratified international

treaty shall prevail. Where an international treaty of the Republic of Armenia approved in the manner prescribed by the law defines norms other than those prescribed by regulatory decrees and executive orders of the President of the Republic of Armenia, Government decisions or departmental regulatory acts, the norms of the approved international treaty shall prevail. Thus, characterising the role of the Covenant within the legislation of the Republic of Armenia, it is worth mentioning that the Covenant, as well as any other international treaty of the Republic of Armenia is a type of legal act, which prevails over the legislation of the Republic of Armenia.

12. On 10 December 2008 Armenia co-sponsored the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

## **II. General provisions of the Covenant**

### **Article 1**

13. Being committed to the provisions of the Charter of the United Nations, as well as relying upon the principles enshrined in the Helsinki Final Act, the Republic of Armenia regards the right of peoples to self-determination as fundamental and indispensable human right and takes consistent steps for its realisation. Armenia is guided by the fact that the principle of the right of peoples to self-determination is currently a binding and universally recognized fundamental norm of international and national law for all states with no exception, and its implementation derives from international obligations assumed by the states.

14. There is no hierarchy in international law between the principles of territorial integrity of state and the right of peoples to self-determination, and the very right to self-determination may not be restricted, suspended, or turned into an issue of territorial integrity of state or of maintaining existing state borders. Armenia has always expressed the position of inadmissibility of such subordination, and considers such attempts as efforts aimed at restricting, obstructing, or suppressing free expression of the will of people.

15. The right of peoples to self-determination as an imperative norm of international law should always and in all cases be recognized irrespective of when, in what circumstances, and on which basis the unification, transfer or alienation of the territory, the population of which poses the question of self-determination, took place.

16. The people of Nagorno-Karabakh, acting in full compliance with the principles of international law and provisions of the USSR laws, gained independence from Azerbaijan SSR on 10 December 1991 through referendum, and established a separate state unit called "The Nagorno Karabakh Republic" (NKR) (see the previous Report of the Republic of Armenia). Since the development of independent statehood, the people of Nagorno-Karabakh have exercised their right to self-determination through establishment of public administration bodies, holding elections, adoption of laws by the legislature and implementation of other necessary functions of state governance. The Government is responsible for the economic, social and cultural rights of the people of Nagorno-Karabakh through decisions it adopts and policies it implements. As a common principle and being committed to the objective of building a democratic society based on rule of law, the authorities of Nagorno-Karabakh have unilaterally acceded to the fundamental instruments of international law and transposed those into its own legislation.

17. The Republic of Armenia is firmly committed to the exercise of the right of the people of Nagorno-Karabakh to self-determination and renders its assistance to the promotion of economic, social and cultural rights of its people in every possible way.

18. Following its policy of forced suppression of the Nagorno Karabakh people's right to self-determination and its exercise, and as a result of the war unleashed by such policies which caused great human and material losses, Azerbaijan pursues a policy of economic blockade against Armenia and Nagorno Karabakh, which is a serious impediment to the full exercise of the right to development and many other rights, social and economic rights first and foremost.

## **Article 2**

19. Article 14 (1) of the Constitution of the Republic of Armenia prescribes that all are equal before the law. Discrimination on the ground of gender, race, colour, ethnic or social origin, genetic features, language, religion or belief, political and other opinions, belonging to a national minority, property status, birth, disability, age or other circumstances of personal or social nature shall be prohibited.

20. Everyone shall have the freedom to choose his/her occupation. Everyone shall have the right to fair remuneration in the amount no less than the minimum set by the law, as well as the right to working conditions in compliance with the safety and hygiene requirements. Everyone shall have the right to social security during old age and in case of disability, loss of breadwinner, unemployment and other cases prescribed by the law. (Articles 32 and 37 of the Constitution of the Republic of Armenia).

21. According to Article 5(1) of the Law of the Republic of Armenia "On Foreign Nationals" adopted on 25 December 2006 by the National Assembly of the Republic of Armenia, foreign nationals in the Republic of Armenia shall have rights, freedoms and responsibilities on an equal basis with the nationals of the Republic of Armenia, unless otherwise prescribed by the Constitution, laws and international treaties of the Republic of Armenia. Article 31 of the Constitution of the Republic of Armenia prescribes that foreign nationals and stateless persons shall not enjoy the right to land ownership, except for cases prescribed by the law. .

## **Article 3**

22. The information on ensuring the rights of women was provided in the Report of the Republic of Armenia on Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), submitted in December 2007. The defence of the Report in the Committee took place on 23 January 2009.

## **Article 4**

23. Article 43 of the Constitution of the Republic of Armenia stipulates that certain fundamental human and civil rights and freedoms (enshrined in Articles 23-25, 27, 28-30, 30 (1), and part 3 of Article 32) may be subject to limitations if it is necessary in a democratic society in the interest of national security, public order, crime prevention, protection of the health and morals of the public, constitutional rights and freedoms, dignity and good reputation of others. However, the same Article also stipulates that the limitations of fundamental human and civil rights and freedoms may not exceed the scope established by the international obligations of the Republic of Armenia.

24. Article 44 of the Constitution prescribes that certain fundamental human and civil rights and freedoms, except for those stipulated in Articles 15, 17-22 and 42 of the Constitution, may be temporarily limited in the manner prescribed by the law, in case of

martial law or state of emergency, within the scope of the assumed international commitments on derogating from commitments in cases of emergency.

25. “In order to prevent the threat of danger to the constitutional order in the Republic of Armenia and to protect the rights and legal interests of the population, guided by point 14 of Article 55 and point 6 of Article 117 of the Constitution of the Republic of Armenia,” on 1 March 2008 the President of the Republic of Armenia signed a Decree on declaring a state of emergency for 20 days, according to which some freedoms were limited.

26. The Secretary-General of the United Nations (in accordance with Article 4 of the International Covenant on Civil and Political Rights), Secretary General of the Council of Europe (in accordance with Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms) and OSCE/ODIHR (in accordance with points 24 and 25 of the Copenhagen Document and point 28 of the Moscow Document) were informed about declaring a state of emergency in the city of Yerevan.

27. Subsequently, pursuant to the relevant decrees of the President of the Republic of Armenia of 10 March and of 13 March, the limitations imposed by the Decree of 1 March on state of emergency were partially lifted.

28. The state of emergency in the city of Yerevan was completely terminated on 20 March 2008.

### III. Specific rights

#### Article 6

29. Labour relations in the Republic of Armenia are regulated by:

- (a) The Constitution of the Republic of Armenia which lays down the main conditions for legal labour relations;
- (b) The Labour Code of the Republic of Armenia (entirely);
- (c) Other laws governing labour relations<sup>1</sup>;
- (d) Relevant decisions of the Government of the Republic of Armenia<sup>2</sup>.

30. State policy in the field of employment is aimed at creating conditions for ensuring full and efficient employment. The implementation of the policy contributes to improving the skills of the unemployed and enhancing their competitiveness in labour markets, as well as triggers the employer to maintain the existing work places, create new ones and fill the

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<sup>1</sup> By the laws of the Republic of Armenia “On Civil Service”, “On Tax Service”, “On Customs Service”, “On State Service in the Administration of the National Assembly of the Republic of Armenia”, “On State Service”, and other laws.

<sup>2</sup> “On establishing the procedure and form of calculating working hours”, “On drawing up a list of employees entitled to 35 days’ extended leave per annum (in special cases - up to 48 days)”, “On drawing up lists of the work of special groups of employees for a 24-hour week”, “On drawing up a list of seasonal work”, “On drawing up a list of a special category of employees entitled to additional annual leave, their minimum duration and procedure”, “On Secondments”, “On establishing a procedure for registration of occupational injuries and mortality rates”, “On prohibitions in involving women taking care of children under 8, as well as children under 18 in certain works”, Decision of the Civil Service Council “On the approval of the procedure on conclusion of a temporary employment contract”, etc.

vacant positions with informed, skilled specialists knowledgeable in modern sciences, including technologies.

31. On 24 October 2005, the National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia “On Employment and Social Protection in Case of Unemployment”<sup>3</sup>. The new law stipulates legal grounds for employment in the Republic of Armenia, state policy principles in the field of employment and social protection in case of unemployment, state guarantees for social protection for the unemployed and for the free choice of work and occupation.

32. With the purpose of improving the services in the field of employment, the Government of the Republic of Armenia - upon its Decision No. 379 of 15 September 1997 “On State Employment Service” – vested the Ministry of Labour and Social Affairs of the Republic of Armenia with the powers of a public administration body regulating employment in the Republic of Armenia.

33. According to Article 48 of the Constitution, contribution to the employment for the population and improvement of working conditions are among the main tasks of the state in economic, social and cultural fields.

34. Every citizen of Armenia has a right to choose his profession and work. A groundless refusal to hire a person is prohibited. Citizens of Armenia as well as representatives of other nations and stateless persons residing in the territory of the Republic of Armenia are entitled to free choice of their work and out-of-work activity. The same persons are entitled to free choice of being employed and unemployed, except for cases defined by the legislation of the Republic of Armenia (the Law of the Republic of Armenia “On Employment and Social Protection in Case of Unemployment”, Article 3).

35. The objectives and principles of labour legislation are laid down in the Labour Code of the Republic of Armenia (Articles 2 and 3)<sup>4</sup>. The Labour Code of the Republic of Armenia (Article 43) prescribes that the employees have a right to receive any information on labour relations not proscribed by the law.

<sup>3</sup> Upon its entry into force, this Law repeals the Law of the Republic of Armenia on Employment of 26 December 1996 regulating the respective field.

<sup>4</sup> The objectives are the following:

- to define state guarantees for labour rights and freedoms of natural persons, such as the citizens of the Republic of Armenia, foreign citizens, and stateless persons (hereinafter referred to as “citizens”);
- to contribute to the creation of favourable working conditions;
- to protect the rights and interests of employees and employers.

The principles are the following:

- freedom of labour, including the right to work (which everyone chooses freely or to which they freely agree), right to manage their work abilities, right to choose a type of profession and life activity;
- equality of parties to labour relations, irrespective of their gender, race, national origin, language, birth, nationality, social status, religion, marital and family status, age, beliefs or viewpoints, affiliation to political parties, trade unions or non-governmental organisations, and other circumstances not associated with professional skills of an employee;
- equality of rights and opportunities of employees;
- assurance of the right for timely and just remuneration of work of every employee in the amount not less than the minimum salary prescribed by law.

36. The employer shall provide the information on labour relations to the representatives and organisations of employees<sup>5</sup>.

37. The Labour Code of the Republic of Armenia (Article 23) prescribes that the rights and interests of employees may be represented and protected in labour relations by trade unions.

38. According to the Labour Code of the Republic of Armenia, the state control and supervision over implementation by the employer of labour legislation, other regulatory legal acts containing norms of labour law and regulatory provisions of collective agreement shall be carried out by the State Labour Inspectorate (Article 34), and the non-state control shall be carried out by trade unions (Article 35).

39. The citizens of Armenia have the right to work and to pass vocational, professional development or training courses in other countries. The Labour Code of the Republic of Armenia (Article 38) prescribes that the protection of labour rights - in compliance with the jurisdiction over the cases prescribed by the Civil Procedure Code of the Republic of Armenia - shall be exercised by the court.

40. The following programmes are implemented by the "State Employment Service" of the Ministry of Labour and Social Affairs:

- (a) Payment of unemployment allowance;
- (b) Specialised training of the employed, specialised training of the disabled, re-adaptation to work, re-qualification of persons receiving long-term service pension and preferential persons who are unemployed and seeking a job;
- (c) Salary reimbursement for the purpose of assisting the persons who are not competitive in the labour market in finding a job;
- (d) Financial aid to the unemployed and to the disabled for the state registration necessary for being engaged in entrepreneurial activities;
- (e) Reimbursement of material expenses of the unemployed in relation to the secondment to another place;
- (f) Arrangement of paid public works;
- (g) Payment of funeral allowance.

41. The core mission of the State Employment Service is to assist job-seekers in choosing a job and employers in providing with the labour force having required profession and qualification.

42. For the purpose of supporting the job placement of the persons who are not competitive in the labour market, including the disabled, a partial salary reimbursement plan is being implemented since 2006. For each non-competitive person hired, the employer is reimbursed in the amount of 50% of the defined salary, but not more than the minimum salary prescribed by the Law of the Republic of Armenia "On Minimum Monthly

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<sup>5</sup> The information includes:

- (1) Information on employer's current and future activities;
- (2) Information on possible changes in employment;
- (3) Information on measures to be implemented in case of possible staff reduction;
- (4) Other information on labour relations, unless that information is constitutes state, official or commercial secret.

The manner and the conditions for submitting information are defined upon the agreement of the parties.

Salary”. Instead of 120 persons envisaged by the 2008 Plan, 167 persons were involved, of which 63 were disabled persons.

43. “Paid Public Works” is a programme which is being implemented for providing the unemployed and the job-seekers with temporary employment and generally available jobs not requiring initial vocational education, serves social purposes and is aimed at the implementation of social works in the community. According to the priority list, individuals eligible for participation are the unemployed registered at the regional or territorial centres of the “State Unemployment Service”, job-seekers from families enrolled in the family poverty level assessment system, and other individuals looking for a job. The individuals involved in paid public works receive daily remuneration in the amount of 8% of the amount defined by the Law of the Republic of Armenia “On Minimum Monthly Salary”, and taxes and social payments based on this amount are calculated at the account of the “Paid Public Works” expenditure programme within the State Budget of the Republic of Armenia.

44. In the recent two years vocational training courses have been conducted in Armenia for the following specialisations in demand on the labour market: assemblers and tuners of radioelectronic devices, cutters of natural and artificial stones, stone cutting and dressing machine operators, welders, steel fixers, concrete workers, elevator mechanics, car injection system specialists, plastic components recyclers, thermoplastic machine operators, turning lathe operators, production line servicepersons, computer operators, assistant-adviser to the manager, computer accounting, computer design, etc. The last three of the mentioned specialisations are the most demanded among employers.

45. Following the implementation of vocational training courses for the unemployed and the disabled, 734 out of 1571 of persons who completed vocational training in 2007-2008, or 46.7% were subsequently placed for employment.

46. For the purpose of assisting in choosing a profession complying with current requirements of the labour market, in promoting employment amongst the youth, and in raising their competitiveness in the labour market, “Youth Professional Orientation Centre” SNCO (hereinafter referred to as “the Centre”) was established upon the Decision of the Government of the Republic of Armenia No. 1915 of 14 December 2006. The Centre provides professional orientation services, as well as information and career counselling to the juvenile and the youth. The Centre has elaborated and carries out a professional orientation education programme for student of 8-9th grades of selected general education schools. It enables the students to reveal their own potential, to familiarise themselves with the descriptions of professions and occupations, to obtain information and counselling on vocational education institutions; based on the aforementioned they will be able to choose the direction of education programme in the high school and the future profession in a more informed manner.

47. On the other hand, since the education system does not prepare the young people for the constantly changing requirements of the labour market, the Centre contributes to the improvement of competitiveness of the youth in the labour market and to the development of the required skills and abilities through tailor-made projects elaborated and carried out for the youth of Yerevan and the Marzes (trainings, meetings with employers/businessmen, debates, study tours, etc.). The Resource Room of the Centre is equipped with technical facilities and necessary databases and information, which enables the visiting young persons to use the information individually. If necessary, the visitor is provided with an individual counsellor, who renders psychological support as well. The Centre provides its services in the whole territory of the Republic of Armenia. Before the Centre can establish its representation offices in the Marzes (which is necessary, given the high rate of unemployment and the trends of external and internal migration among the youth of the Marzes), the Centre renders services aimed at professional orientation of local juveniles and

promotion of youth employment through partner regional structures by elaborating and providing work methodology based upon the specifics of the labour market of each Marz, as well as the required information on educational facilities. The expected results are the introduction of professional orientation system, particularly the establishment of three regional professional orientation centres in 2010-2012, carrying out of labour market annual studies and forecasting, as well as elaboration of proposals.

48. In 2008 the Centre planned to render services to 1500 beneficiaries in the city of Yerevan and in all regions of the Republic, instead it rendered services to 1549 beneficiaries, 1179 of which are high-school students, 75 and 295 are young people from Yerevan and the Marzes, respectively. In 2009, it has been envisaged to render services to 5000 beneficiaries. A total of 3 045 beneficiaries have already been rendered with the services up to day, of which 1 994 - high school students in Yerevan and the regions, 502 - during group services conducted in the Centre, 215 - through individual services, 334 - during training courses, meetings and summer schools arranged in the Marzes.

49. Statistical data on employment and unemployment is provided in annex I.

50. As to the application of the Covenant provisions in jurisprudence, no statistics of judicial acts on the grounds of enforcement by the courts of the Republic of Armenia of international agreements, including the Covenant on Economic, Social and Cultural Rights, is maintained. Meanwhile, in the settlement of disputes over economic, social and cultural issues of a person courts of general jurisdiction, as well as courts of appeal directly apply international treaties, as well as are guided by the national legislation, which is based on the main provisions of international treaties (including the Covenant)<sup>6</sup>.

## Article 7

51. On 9 November 2004, the Labour Code of the Republic of Armenia was adopted, Chapter 19 of which entirely covers issues related to salary and defines the payment procedure thereof.

52. Article 178 of the Labour Code of the Republic of Armenia lays down that men and women are entitled to equal remuneration for the same work or the work of equal value.

53. The salary shall be a fixed remuneration paid to the employee on a regular basis for works envisaged by the employment contract.

54. The salary shall include the basic salary and any additional remuneration paid by the employer to the employee by any means. The minimum salary shall not include bonuses, additional payments, emoluments, and other incentive payments.

55. According to Article 179 of the Labour Code of the Republic of Armenia, the minimum monthly salary and hourly wage shall be defined by the law.

56. A different rate of the minimum monthly salary (hourly wage) may be defined by the law for specific branches of economy, settlements and certain groups of employees, and the collective agreement may lay down a minimum salary rate that is higher than the defined minimum salary.

57. According to Article 5 of the Law of the Republic of Armenia "On Minimum Consumer Basket and Minimum Consumer Budget", since 2004 the content and structure of the minimum consumer basket per capita and the main socio-demographic groups are

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<sup>6</sup> For the period of 1999-2008, the Court of Cassation of the Republic of Armenia heard around 720 appeals on labour disputes brought before it.

calculated not less than once in three years based on the methodical instructions elaborated in the manner prescribed by the Government of the Republic of Armenia and approved by the Government of the Republic of Armenia.

58. The size of the minimum consumer basket in the Republic of Armenia serves as a basis when defining the minimum salary rate, pensions, stipends, as well as other allowances and social contributions.

59. Articles 187-189 of the Labour Code of the Republic of Armenia also define salary payment patterns under various conditions. Thus, in cases prescribed by the legislation of the Republic of Armenia as well as upon the agreement between the employer and the employee, in cases of part-time jobs (part-time working day or week), the remuneration for work shall be proportionate to the actual hours or the volume of work performed.

60. 72. Where the workload of the employee increases in comparison to the prescribed norms, he is remunerated in proportion to the volume of work performed. The conditions for remunerating part-time employees are established by the legislation of the Republic of Armenia.

61. According to the Code of the Republic of Armenia on Administrative Offences (Article 169), the assignment of a salary less than the rate prescribed by the Law of the Republic of Armenia "On Minimum Monthly Salary" (Article 1) entails imposition of a fine on the offender.

62. According to Article 180 of the Labour Code of the Republic of Armenia, the minimum terms and rate of remuneration, occupational and official, tariff and qualification requirements, labour standards, as well as tariffication of jobs and employees are defined by the legislation of the Republic of Armenia.

63. In case of applying a job qualification system, the same criteria shall apply to both men and women, and this system shall be elaborated so that any discrimination based on gender is excluded.

64. According to the Law of the Republic of Armenia "On Work Remuneration", discrimination in this sphere - based on a person's national origin, nationality, race, gender, age, language, belief, political or other views, social origin, property or other status - shall be ruled out.

65. Employers are obliged to pay the base salary and the additional payments calculated in the manner prescribed by the law irrespective of the results of their economic activity.

66. In cases of insolvency (bankruptcy) of an organisation as well as liquidation in the manner prescribed by the law, payment of the outstanding salaries is the priority.

67. In case of performing work harmful to health, an additional payment shall be made in the amount of 50% of the base pay (official rate).

68. In case of performing work severely harmful to health, an additional payment shall be made in the amount of 100% of the base pay (official rate).

69. For each hour of overtime and night work, an additional payment shall be fixed in the amount not less than one and a half times the base hourly rate. Upon the agreement of the parties, each overtime hour shall be remunerated at the rate not less than the hourly rate fixed for the employee.

70. The work performed on rest days, statutory public holidays and commemoration days - provided that it is not envisaged by the work schedule - shall be remunerated in the amount not less than the doubled hourly (daily) wage or of task rate, or the employee is granted another rest day within a month if so requested, or that day is added to the annual

vacation. The work performed during the rest day based on the work schedule shall be remunerated in the double amount of the hourly (daily) wage or of task rate.

71. In accordance with the Law of the Republic of Armenia “On Civil Service Remuneration”, the salary of civil servants comprises the regular and additional salary rates defined by the said Law.

72. The regular salary rate is the official rate corresponding to the subgroup of the Civil Service position and the experience of the civil servant in that position.

73. The additional salary includes:

- (a) Additional payments in case of working in special working conditions;
- (b) The increment granted for the class rank higher than the class rank corresponding to the subgroup of the given Civil Service position;
- (c) Annual bonus granted based on the results of official duty, as well as merit-based bonuses for quality performance of special assignments;
- (d) Bonuses granted from the funds and in the manner defined by the laws of the Republic of Armenia.

74. A regular salary increase shall be established for the uninterrupted work of the civil servant occupying the same civil service position, where the work interruption in the same civil service position does not exceed six months.

75. In increasing the regular salary unit of civil servants, the results of their official activity are also being considered.

76. An accelerated salary increase is granted for the results excelling the official duties for three consecutive years through increasing by two units, though not sooner than five years after the previous accelerated increase. The procedure for granting an accelerated salary increase is defined by the Government of the Republic of Armenia.

77. For civil servants whose work experience in the position concerned is less than six months as of 1 January, the subsequent salary increase shall become effective on 1 January of the next year.

78. The Reward Fund for civil servants of the authority concerned is calculated in percentage to the annual salary fund of the authority envisaged by the state budget, which is laid down in a separate heading of the Law “On State Budget” of the subsequent year.

79. A reward granted to a civil servant from the Reward Fund is a one-off payment. The amount of the reward granted to a civil servant is calculated based on his annual regular salary rate.

80. According to Article 13 of the Labour Code of the Republic of Armenia, labour relations are the relations based on mutual agreement between an employee and an employer according to which the employee personally carries out work functions (work with certain specialisation, qualification or position) in return for certain remuneration, and the employer ensures work conditions envisaged by the labour legislation, other regulatory legal acts containing norms of labour law, collective agreements and employment contracts.

81. The terms and the amount of remuneration are included as a compulsory condition in the employment contracts concluded between an employee and an employer. An employment contract is an agreement between an employer and an employee according to which the employee is obliged to work or render services in specific profession or qualification by following to the labour discipline at the workplace, and the employer is obliged to provide the employee with the work stipulated by the employment contract, to pay the salary envisaged by the employment contract for the work performed, and to ensure

work conditions envisaged by the legislation of the Republic of Armenia, other regulatory legal acts, collective agreement, and upon the agreement of parties.

82. The minimum requirements of labour protection and hygiene in workplaces are prescribed by relevant legal acts, the list of which is presented in ANNEX II. See also Article 12.

83. The following organisations operate in the spheres of labour safety and protection, hygiene and public health:

(a) National Institute for Labour and Social Research of the Ministry of Labour and Social Affairs of the Republic of Armenia;

(b) Yerevan territorial and regional centres of the State Hygiene and Anti-Epidemiological Inspectorate of the Ministry of Health of the Republic of Armenia, Yerevan territorial and regional “Expertise Centre” State Non-Commercial organisations of the State Anti-Epidemiological Inspectorate, “Centre for Disease Control and Prevention” CJSC of the Ministry of Health of the Republic of Armenia, and Scientific-Research Institute of Hygiene and Occupational Diseases of “Kanakaner-Zeytun” Medical Centre of the Yerevan municipality.

(c) “National Technical Safety Centre” of the Ministry of Economy of the Republic of Armenia, which has been founded based on the Law of the Republic of Armenia “On State Regulation of Technical Safety Assurance”.

84. The object of the Centre is the analysis and the assessment of the status of labour safety and protection in branches of economy and in organisations, coordination and implementation of fundamental, scientific, and applied research of issues related to labour safety and protection, elaboration of intersectoral and sectoral norms and directives in the sphere of labour safety and protection, arrangement, methodical support and implementation of evaluation of the status of working conditions in dangerous production facilities, elaboration of expert opinion on production facilities under development and under construction with regard to their compliance with labour safety and protection requirements, education and professional development of labour experts, managers and specialists of organisations in issues of labour safety and protection.

85. Once a year, employees of organisations undergo mandatory initial (when being hired) and periodic (during employment) medical examinations, during which occupational diseases can also be detected. The procedures for medical examinations and for the approval of occupational diseases are defined by the Decision of the Government of the Republic of Armenia No. 1089-N of 15 July 2007.

86. The list of specialised medical organisations empowered to approve occupational diseases based on the workplace hygiene description provided by the authorities of State Hygiene and Anti-Epidemiological Inspectorate of the Ministry of Health of the Republic of Armenia is approved upon the Order of the Minister of Health of the Republic of Armenia No. 1180-A of 9 December 2005. The list of occupational diseases is approved upon the Decision of the Government of the Republic of Armenia No. 458-N of 23 March 2006.

87. According to Article 254 of the Labour Code of the Republic of Armenia, the employer may not require the employee to perform his/her official duties unless the latter has undergone job safety training and/or instructions. The employer must ensure that the employee seconded to his/her organisation assumes his official duties only after being informed about the potential risk factors existing in the organisation and after receiving workplace-specific safety instructions.

88. Based on description and time period, the instructions may be: initial - when being hired; primary - with instruction of workplace-specific safe work methods with regard to the occupation of the employee concerned; repeated - once in six months, and sometimes once in three months depending on occupational hazard; off-schedule - in case of changes in technology or instructions; requested by supervisory bodies or following an accidents - in case of safety rules violations by employees. A new procedure for instructing, training and testing of the knowledge of the staff is currently being elaborated.

89. The number of people working in the sphere of labour protection in the Republic amounts to 4 100.

90. In Armenia more than 2020 organisations concluded collective agreements, under which the representatives of employers and employees mutually settle the issues of the protection of employees.

Table 1

**Key indicators characterising industrial accidents, 2002-2007**

	2002	2003	2004	2005	2006	2007
Number of cases of industrial accidents, units	108	92	85	70	94	86

Table 2

**Gender distribution of registered disabled people by causes of disability, at the end of the year, 2004-2007**

	<i>Total</i>				<i>of which women:</i>			
	2004	2005	2006	2007	2004	2005	2006	2007
Occupational disease	564	528	493	477	106	104	101	99

91. One of the main principles of the labour legislation of the Republic of Armenia, the equality of parties to employment relations irrespective of their gender, race, national origin, language, origin, nationality, social status, religion, marital status, age, beliefs or views, affiliation to political parties, trade unions or non-governmental organisations, and other circumstances not associated with the professional skills of an employee, are defined by Article 3 of the Labour Code of the Republic of Armenia. Currently there are no groups of employees deprived of equal employment opportunities, including women, in the Republic of Armenia.

92. According to Article 33 of the Constitution of the Republic of Armenia, everyone shall have the right to rest. The maximum duration of working time, rest days and the minimum period of annual paid leave shall be defined by the law.

93. According to Article 142 of the Labour Code of the Republic of Armenia, a five-day working week with a two-day rest is prescribed for employees. In organisations where the five-day working week cannot be applied due to the nature of production or other conditions, a six-day working week with a one-day rest is prescribed.

94. According to Article 154 of the Labour Code of the Republic of Armenia, the duration of daily uninterrupted rest between working days (shift) may not be less than 11 hours. The duration of daily uninterrupted rest for the employees aged 14-16 may not be less than 14 hours, and for the employees aged 16-18 years old it may not be less than 12 hours and shall include the time from 22:00 to 06:00.

95. According to the Labour Code of the Republic of Armenia (Article 155), the common weekly rest day is Sunday, and in case of a five-day working week the rest days are Saturday and Sunday.

96. On rest days or non-working days, it is prohibited to engage employees in works, except for the ones which cannot be interrupted for technical reasons or which are necessary for providing services to the population, as well as work involving urgent repair, loading or unloading.

97. On rest days or non-working days, such as statutory public holidays and commemoration days, pregnant women, women raising a child under the age of one, and employees under the age of eighteen may be engaged in works only upon their consent, and employees under the age of eighteen are granted not less than two rest days a week.

98. In organisations where the work on the common rest day may not be terminated due to the need to provide services to the population (public transport, specialised organisations supplying energy, gas, and heat, theatres, museums, public catering, etc.), the rest day is defined by the Government of the Republic of Armenia.

99. In organisations where work may not be terminated due to technical conditions or to the need for uninterrupted continuous provision of service to the population, as well as in other organisations with uninterrupted work regime, the rest days are granted on other days of the week in a sequence prescribed by the work schedule of each group of employees. These schedules are prepared and approved in the manner prescribed by the Labour Code of the Republic of Armenia (Article 142). In case of summarised calculation of working time, the rest days are granted in accordance with the work schedule (working shift). Weekly uninterrupted rest should not be less than 35 hours.

100. The annual leave is a period calculated in calendar days, to which an employee is entitled to for rest and for recovering working capacity. During this time, the employee retains his work place (position) and is paid the average salary. Other than the minimum annual leave, a procedure is also defined for granting an additional annual leave.

101. According to Article 159 of the Labour Code of the Republic of Armenia, the duration of the average annual leave is 28 days. The annual leave for part-time employees is not reduced.

102. As stipulated in Article 160 of the Labour Code of the Republic of Armenia, an annual leave of up to 35 days (in exceptional cases of up to 48 days) is granted to a specific category of employees working under special working conditions, whose work is related with mental and emotional defatigation or occupational hazard.

103. According to Article 161 of the Labour Code of the Republic of Armenia, additional annual leave may be granted to:

- (a) Employees working under harmful and hazardous working conditions;
- (b) Employees with irregular working schedule;
- (c) Employees engaged in works of special nature.

104. According to Article 185 of the Labour Code of the Republic of Armenia, work performed on rest days and non-working public holidays and commemoration days - provided that it is not envisaged by the work schedule - shall be remunerated in the amount not less than the doubled hourly (daily) wage or of task rate, or the employee is granted another rest day within a month if so requested, or that day is added to the annual vacation.

105. The work performed during the rest day based on the work schedule shall be remunerated in the double amount of the hourly (daily) wage or of task rate.

106. State Labour Inspectorate of the Ministry of Labour and Social Affairs of the Republic of Armenia was established upon the Decision of the Government of the Republic of Armenia No. 1146-N of 29 July 2004, the objectives and tasks of which are the following:

- (a) Exercising public control and supervision over the application of labour legislation of the Republic of Armenia and other legal acts containing norms of labour law;
- (b) Arrangement of measures to prevent accidents at work and occupational diseases;
- (c) Assurance of preservation and protection of labour rights and freedoms of employees, working conditions, including the right to safe working environment;
- (d) Provision of information to employers, trade unions, and employees on more effective measures and methods for observing the labour legislation of the Republic of Armenia and other regulatory legal acts containing norms of labour law, as well as of information on the application of best practice.

107. The Inspectorate carries out its activities through the central administrative office and 11 regional centres. In 2008, all the subdivisions of the State Labour Inspectorate of the Republic of Armenia altogether received more than 100 citizens and telephone calls daily, and in each case individual counselling on a case-by-case basis was provided.

108. In January 2008, the schedule for organising and implementing seminar-consultations by structural and regional subdivisions of the State Labour Inspectorate of the Republic of Armenia was approved.

109. As of 31 December 2008, a total of 246 seminar-consultations on implementation of labour legislation and other regulatory legal acts containing norms of labour law were conducted for employers and trade unions.

110. The Inspectorate has elaborated and provided the State Labour inspectors with methodical guidelines on organising and conducting control. The guidelines cover all of the functions of the Inspectorate and control mechanisms on the implementation thereof.

111. Since December 2007, the State Labour Inspectorate has become a member to the International Labour Organization, and since June 2008 has participated in the sessions of the Association with an absolute right to vote.

112. The Inspectorate carries out its activities according to the database of the state register of legal persons in 68 405 economic operators registered in the Republic of Armenia as of 1 January 2009. During 2008, the State Labour Inspectorate of the Republic of Armenia received more than 615 complaints from the citizens on violations of labour legislation where, based on sufficient grounds available, control was carried out where appropriate, administrative proceedings were instituted in compliance with the requirements of the Law of the Republic of Armenia "On Fundamentals of Administrative Actions and Administrative Proceedings", administrative acts for reinstating the violated rights were adopted.

113. According to the charter of the Inspectorate, the Inspectorate carries out planned or ad-hoc control. In 2008, 3 050 controls were carried out, of which 2 820 were planned, and 230 were ad-hoc<sup>7</sup>.

114. The International Labour Organization provides continuous technical and professional assistance for the elaboration of legislation in the field concerned.

115. Statistics are provided in annex II.

## Article 8

116. According to Article 28 of the Constitution of the Republic of Armenia, everyone shall have the right to freedom of association with others, including the right to form and to join trade unions.

117. Every citizen shall have the right to form political parties with other citizens and to join such parties.

118. No one shall be compelled to join any political party or association.

119. The activities of associations can be suspended or prohibited only in cases provided for by the law and through judicial procedure.

120. According to Article 3 of the Labour Code of the Republic of Armenia, the principles of labour legislation are the following: insuring the right to freedom of association with others for the protection of labour rights and interests of employers and employees (including the right to form and join trade unions and employers' associations). According to Article 4 of the same Code, the labour legislation defines the rights, obligations, and liability of trade unions, employers' associations as well as their representatives, and according to Article 21 of the Code, the employers and employees may, at their will, form associations in the manner prescribed by the law with the purpose of protecting and promoting their rights and interests by forming trade unions and employers' associations.

121. The Law of the Republic of Armenia "On Trade Unions" spells out the establishment procedure of trade unions, the principles of their functioning and relationship with state authorities, local self-government authorities, legal persons and natural persons, as well as regulates the relations pertaining to the protection of rights and interests of trade unions and their members.

122. Article 3 of the aforementioned Law stipulates the main principles of a trade union.

(a) Independence from state authorities, local self-government authorities, employers, political, non-governmental and other organisations;

(b) Voluntary participation (membership) in trade unions;

(c) Equality of trade unions;

(d) Not allowing the limitation of rights of an employee in connection with the circumstance of his being a member of a trade union.

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<sup>7</sup> As a result of controls conducted in 2008, 190 motions and legally binding orders were submitted to employers for reinstating the violated rights of employees prescribed by the labour legislation of the Republic of Armenia, and for further prevention of such violations.

As a result of inspections, more than 6,500 cases of violations of the requirements of the labour legislation and of other regulatory legal acts containing norms of labour law were recorded, with regard to 5,848 of which an administrative sanction was imposed.

123. According to Articles 4 and 5 of the same Law, a trade union organisation is founded based on the decision adopted during the founding meeting (congress, conference) convened at the initiative of its founders (minimum 3 employees). The founding meeting approves the charter of the organisation as well as elects the governing and supervising bodies.

124. As to the establishment of trade union associations, two and more trade unions and/or trade union associations - upon the decision adopted during the meeting (congress, conference) of their representatives - may establish a single trade union association by approving its charter and electing the governing and supervising bodies.

125. According to Article 6 of the said Law, employees who have concluded an employment contract with the employer concerned and who perform work within and outside the territory of the Republic of Armenia, including foreign citizens and stateless persons, may become members to a trade union organisation.

126. Employees who have concluded employment contracts with various employers in a relevant branch (related branches) of economy (production, service, occupation) may also become members to trade union organisations.

127. An employee may be a member to more than one organisation, provided this does not contradict their charters.

128. An employer may not be elected to the governing bodies of those trade union organisations to which his/her employee is a member.

129. According to Articles 10 and 11 of the Law of the Republic of Armenia “On Trade Unions”, legal capacity of a trade union arises from the moment of its state registration and ceases at the moment of making an entry in the state register of legal entities on the completion of its winding up.

130. State authorities, local self-government bodies, employers, other organisations and natural persons are prohibited from hindering or intervening in the exercise of rights prescribed by the charter of a trade union (article 13).

131. Article 14 of the same Law prescribes that a trade union, two and more trade union organisations and (or) trade union associations in Armenia – upon the decision adopted during the meeting of their representatives - may establish a single trade union association by approving its charter and by electing its governing and supervising bodies.

132. In compliance with the legislation of the Republic and the charter of a trade union, it may cooperate with international trade unions and trade unions of other countries as well as other non-governmental organisations, and become a member to international trade unions and trade unions of other countries.

133. According to Article 161 of the Criminal Code of the Republic of Armenia, obstruction to or interference in the exercise of the right to found associations (non-governmental associations or trade unions) or political parties or legal activities of an association or a political party shall be punishable with a fine in the amount of 100-fold to 300-fold of the minimum wage or by maximum of a one-month detention. The same act that has caused substantial violation of the rights and lawful interests of an association or a political party shall be punishable with a fine in the amount of 200-fold to 400-fold of the minimum wage or by maximum of a two-month detention.

134. According to Article 45 of the Labour Code, parties to collective employment relations and their representatives coordinate their interests and settle disputes through collective bargaining. A party willing to enter into a collective bargaining relationship is obliged to notify the other party thereon in writing. The notification indicates the objective of the collective bargaining, as well as the proposals and demands.

135. The parties to the collective bargaining agree upon the day of starting collective bargaining and the procedure thereof.

136. Collective bargaining should be conducted in a reasonable manner and without any undue delay.

137. Parties to the collective bargaining and their representatives shall have the right to make mutual inquiries on issues relating to collective bargaining. The replies to the inquiries should be submitted not later than within fifteen days after the day of inquiry. This time limit may be changed upon additional arrangement of parties or their representatives.

138. The party providing information shall have the right to demand the other party not to disclose the received information.

139. Collective bargaining is deemed to be completed after the moment of signing a collective agreement or drawing up a protocol on areas of disagreement or communicating a written notice from one of the parties to another on withdrawal from collective bargaining.

140. Collective bargaining is deemed to have failed, if in accordance with part 2 of this Article, the notified party refuses to participate in collective bargaining.

141. As of 1 January 2009, there are 24 republican branch unions (member organisations), 726 trade union organisations within the Confederation of Trade Unions of Armenia. 278,949 trade union members are involved in trade union organisations.

142. Articles 73-82 of the Labour Code of the Republic of Armenia entirely regulate relations pertaining to declaring a strike, managing strikes and restricting strikes.

143. According to Article 73 of the Code, a strike is a temporary termination of work by workers or groups of workers of one or more organisations in case of failure to settle a collective labour dispute relating to the conclusion of a collective agreement (including failure to hold collective bargaining, refusal from discussion of an issue in a Reconciliation Committee) or failure by the Reconciliation Committee to implement a decision in the interests of workers.

144. However, for ensuring a full exercise by employees of the right to strike, the provisions prescribed by the aforementioned Article as well as by Article 75(3) of the Labour Code of the Republic of Armenia - in so far as they condition the right to strike only with the circumstance of non-settlement of a collective dispute relating to the conclusion of a collective agreement and restrict the right to strike in new circumstances, as well as in so far as they prohibit declaring a strike during the whole term of the collective agreement – have been declared as contradicting the Constitution of the Republic of Armenia and invalid in accordance with the Decision of the Constitutional Court SDO-677 of 7 February 2007, as a result of which the mentioned provisions of the Labour Code limiting the right to strike are no longer effective.

145. It should also be mentioned that a reference has been made to Article 8 of the Covenant as an argument in the mentioned decision of the Constitutional Court.

146. According to Article 74 of the same Code, the right to make a decision on declaring a strike (including a warning strike) is vested in trade unions. A strike is declared in case where the decision thereon has been approved in a secret ballot by at least two-thirds of the employees.

147. In natural disaster areas as well as regions where a martial law or emergency situation (a state of emergency) has been declared in the prescribed manner, the strikes are

prohibited before the effects of natural disaster are eliminated, or martial law or emergency situation (state of emergency) is lifted in the prescribed manner (Article 75).

148. Article 79 of the Labour Code of the Republic of Armenia establishes guarantees provided to strikers according to which the participation in a strike shall be voluntary. No one can be compelled to participate in a strike or to refuse to participate therein. Persons compelling an employee to participate in a strike or to refuse to participate therein shall be held liable in the manner prescribed by the Criminal Code of the Republic of Armenia.

149. Employees participating in a strike are released from an obligation to perform their official duties. The work place (position) of an employee participating in a strike is retained during the strike.

150. During the negotiations by parties on halting a strike, the parties may reach an agreement on payment of remuneration to strikers in full or in part, and the employees - not participating in a strike though deprived of the opportunity to fulfil their work duties due to the strike - are paid remuneration for the idleness caused not by their fault, or they may be transferred to another job upon their consent.

151. According to Article 114(1)(3) of the Labour Code of the Republic of Armenia, "Rescission of an employment contract at the employer's initiative is prohibited after the decision on declaring a strike was adopted and during the strike, provided that the employee participates in the strike in the manner prescribed by this Code"<sup>8</sup>.

152. The rights to establish parties and trade unions and to join them may be restricted in the manner prescribed by the law for officers of the armed forces, the police, national security, prosecution authorities, as well as for judges and members of the Constitutional Court.

153. It is prohibited to declare strikes in the police, armed forces (in other equivalent services), security services, as well as centralised electricity supply services, heat supply, gas supply organisations, and in urgent medical aid services. Demands made by employees of such organisations and services are considered through bodies for social partnership on the national level, with the participation of the relevant trade union organisation and the employer.

## **Article 9**

154. On 26 December 1997, the National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia "On Mandatory Social Security Contributions", which defines the concept of mandatory social security contributions in the Republic of Armenia (hereinafter also referred to as "social contributions"), the legal, financial and organisational grounds for collection, the rates, and the payment procedure.

155. The Law "On State Pensions" of 2003 ensures the pension security of the citizens of the Republic of Armenia. The Law regulates the relations pertaining to the arrangement,

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<sup>8</sup> The Decision of the Cassation Court of the Republic of Armenia No. 1775 (VD) of 26 October 2006 is associated with the application of the mentioned Article. The appellant argued in the mentioned decision that the defendant issued a dismissal order during the declared strike, which is prohibited by virtue of Article 114(1)(3) of the Labour Code of the Republic of Armenia (...), whereas the Cassation Court of the Republic of Armenia found that there was no violation of Article 114(1)(3) of the Labour Code of the Republic of Armenia, because in the period when the dismissal order was made, on 20 October 2005 and 4 November 2005, there was no declared strike. The strike was declared on 7 November 2005.

administration and financing of the pension scheme. The Pension Scheme of the Republic of Armenia includes state (mandatory) pension insurance, which is financed from the state budget guaranteeing the implementation of the citizens' pension insurance, as well as the state pension security.

156. The said Law defines the following pension types:

(a) Insurance pensions: seniority age, privileged, long-term service, disability, loss of bread-winner, partial pensions.

(b) Social pensions: seniority age, disability, loss of bread-winner.

157. The social security of the citizens of the Republic of Armenia is also ensured through the Law of the Republic of Armenia of 1998 "On Social Security of Military Servants and their Family Members"<sup>9</sup>, the Law of the Republic of Armenia of 2002 "On Social Protection of Children Left without Parental Care", and the Law of the Republic of Armenia of 2005 "On Social Assistance"<sup>10</sup>.

158. According to the Law of 2005 "On Mandatory Social Insurance against cases of Temporary Incapacity for Work", the lost incomes due to temporary incapacity for work are compensated through insurance benefits. Insurance benefits are paid from the funds of the State Budget of the Republic of Armenia. If an employer is released from fulfilment of an obligation to make mandatory social security contributions in the manner prescribed by the law, the insurance benefits are paid from the funds of the employer.

159. Hired employees are paid various types of insurance benefits<sup>11</sup>.

160. A hired employee is paid a sickness benefit for the whole period of sickness (injury), from the first day of losing the ability to work and until recovery or determination

<sup>9</sup> The Law of the Republic of Armenia "On Social Security of Military Servants and their Family Members" regulates legal, economic and organisational issues of pension insurance and social protection of military servants of the Republic of Armenia and their family members. Military servants are granted long-term service pensions and disability pensions. A disability pension to the military servants, and a pension in case of loss of a bread-winner provided to their family members, are granted irrespective of the term of service.

<sup>10</sup> According to the Law of the Republic of Armenia of 2005 "On Social Assistance", citizens of the Republic of Armenia facing a difficult situation, foreign citizens with a relevant residence status in the territory of the Republic of Armenia, stateless persons, as well as persons with refugee status in the Republic of Armenia are entitled to social assistance.

The main types of social services are the following:

(1) provision of consulting services, (2) provision of rehabilitation assistance, (3) provision of financial assistance, (4) provision of in-kind assistance, (5) provision of temporary shelter, (6) arrangement of care, (7) provision of legal assistance, (8) other types of social services not proscribed by law.

Financial assistance is provided in the form of state allowances, target financial support, and partial reimbursement of citizens' certain expenses.

Financing of social assistance is implemented through the state budget and community budget resources, through charity and donations from legal and natural persons, from paid social assistance services, as well as from other sources not proscribed by the legislation of the Republic of Armenia.

<sup>11</sup> - benefits paid in case of temporary incapacity for work due to a disease (injury);  
 - benefits paid in case of temporary incapacity for work due to prosthetics;  
 - benefits paid in case of temporary incapacity for work due to a necessity for health resort treatment;  
 - benefits paid in case of temporary incapacity for work due to pregnancy and child delivery;  
 - benefits paid in case of temporary incapacity for work when there is a need for treatment due to sickness (injury) of a family member.

of disability group or review of disability group by the state authority empowered to conduct medical and social examination.

161. The self-employed persons are provided with the following types of insurance benefits: sick leave benefit, prosthesis benefit, pregnancy and child-delivery benefits, and family member care benefit.

162. Insurance benefits are calculated based on the average monthly income of a hired employee or a self-employed person.

163. The Law of the Republic of Armenia of 2003 “On Social Security Cards” regulates the relations pertaining to distribution, as well as application of social security cards (hereinafter referred to as “social cards”), and of social security card numbers issued to the citizens of the Republic of Armenia, foreign citizens holding a residence permit and actually residing in the territory of the Republic of Armenia, stateless persons, and persons with refugee status (hereinafter referred to as “citizens”). The social card is a document provided to the citizens, enabling them to exercise their right to social security.

164. The amount of the basic pension is defined by the legislation of the Republic of Armenia. The newly defined amount of the basic pension may not be less than the previously defined one.

165. The pension amount is calculated as a sum of the basic pension and pension contributions, taking into account the personal coefficient of the pensioner.

166. From 1 January 2009, the basic pension is AMD 8000, and the annual value of pensionable service is AMD 450.

167. Pension is calculated by using the formula  $P=B+(nXV)XC$ , where:

- (a) P is the monthly amount of pension;
- (b) B is the amount of basic pension;
- (c) n is the years of pensionable service;
- (d) V is the annual value of pensionable service;
- (e) C is the pensioner’s personal coefficient.

168. A person eligible for several state pension schemes is allotted one scheme upon his/her choice. The subdivision in charge of allotting pension schemes is entitled to switch between the schemes before the pensioner has attained the age eligible for the pension, upon the request of the pensioner.

169. Pensions are paid from the funds appropriated for this purpose from the State Budget of the Republic of Armenia.

170. One-off allowance is paid to the parent in relation to a child birth, irrespective of the parent’s poverty (welfare) level, in the case of a relevant application.

171. Since 2009, the child-birth allowance is based on the minimum consumer basket for the given year, while its specific amount depends on the sequential number of the birth in the family. The adoption of this provision eliminates the differentiation of a one-time allowance for a child birth provided so far through family allowance system. See also Article 12.

172. A benefit for a child under the age of 2 is provided to working mothers (parent) if they are on a child care leave for taking care of their child under the age of 3. The benefit is paid until the child reaches the age of 2.

173. Since 2009, the amount of the care benefit is based on the minimum wage established for the given year in the Republic.

174. According to the Law of the Republic of Armenia “On State Pensions”, individuals who have reached the age of 63 are entitled to receive seniority pension if they have at least 25 years of service. A person not eligible for a seniority pension, in case of reaching the age of 65, is provided an old age social pension. A pension is provided for a life-term.

175. Disability pension is provided to individuals declared as disabled in accordance with the legislation. A disability pension is defined for the entire period of disability. A disability social pension is provided to a disabled person of the first group and a person declared as a “disabled child”, to a disabled person of the second group, and to a disabled person of the third group.

176. Pension for the loss of a bread-winner is provided to the following family members:

- (a) Children under the age of 18;
- (b) Spouse, irrespective of age and capacity for work, provided he/she is taking care of a child under the age of 8;
- (c) Parents, spouse who have reached the age eligible for seniority pension or have been declared as disabled irrespective of their age, provided that they are unemployed.

177. The pension in case of a loss of a bread-winner is granted for the entire period provided by the law.

178. The pension in case of a loss of a bread-winner in the amount of the basic pension, is paid to each family member by supplementing the calculated insurance part of the pension of a deceased bread-winner in the following amounts:

- (a) 50% to one dependant;
- (b) 90% to two dependants;
- (c) 120% to three dependants;
- (d) 150% to four and more dependants.

179. Members of families of the killed (deceased) military servants are entitled to social allowance, in case of losing the bread-winner.

180. A pension to each orphan child is granted by supplementing the calculated social insurance part of each parent to the five-fold of the basic pension in the amounts established by part one of this Article.

181. Family allowance is provided to a poor family having applied and been registered at the Family Vulnerability Evaluation System and which meets the requirements laid down in the procedure adopted by the Government of the Republic of Armenia. The Government of the Republic of Armenia reviews the requirements annually.

182. The size of family allowance is determined by adding the supplementary payments for each child in the family to the base family allowance. The amount of supplementary payments provided for children varies based on the poverty level of the family, its place of residence and the number of children.

183. Families registered at the Family Vulnerability Evaluation System, yet not entitled to receive family allowance may - when applying for allowance - be granted emergency aid for a term of three months. Their applications are reviewed by social assistance volunteer councils operating adjacent to the territorial bodies rendering social services, which also comprise representatives of non-governmental organisations.

184. Families entitled to family allowance may also be paid a one-off allowance, when one of the members of the family has had a child, or one of the members has passed away, or one of the children of the family has been admitted to the first grade of a public school during the given academic year. Moreover, the size of the one-off allowance granted on the occasion of child birth also varies based on the sequential number of the child born in the family.

185. The differentiation of the allocated size of the one-off allowance for child birth was effective in 2007-2008, and since 2009, it was paid based on the application of the provision differentiating the one-off child birth allowance.

186. The Decision of the Government of the Republic of Armenia No. 1207-N of 30 October 2008 “On Approving the Sustainable Development Programme” lays down that the 2008-2018 funds allocated for family allowance should make 0.8% of the GDP each year.

187. Any foreign national having a residence permit in the Republic of Armenia or any stateless person shall, upon meeting the conditions laid down by the Law of the Republic of Armenia “On State Pensions” and upon proceeding with the mandatory retirement insurance payments, be equally entitled to pension as the national of the Republic of Armenia.

188. The number of non-governmental organisations engaged in the field of social protection of the society has increased in the last decade; they participate in all the stages of implementing social policy on the basis of social partnership.

189. A dozen of non-governmental organisations operate in the field: Mission Armenia benevolent NGO, Armenian Caritas benevolent NGO, Fund for Armenian Relief (FAR), Araks NGO, etc., which render social services particularly to the elderly and the disabled. “Prkutyun”, “Huysi Kamurj”, “Orran”, “Pyunik”, “Astghik”, “Astghatsolk”, “Liarzhek Kyank”, “Havat” (also provides hearing aids) non-governmental organisations provide social and rehabilitation services to disabled children and their families through day-care centres.

190. Since 2007, Mission Armenia benevolent NGO receives funding from the state budget for the provision of social services (care of single elders and disabled persons and social service) delegated by the state. This is a permanent programme, and the 2009 State Budget envisages support also to “Prkutyun”, “Huysi Kamurj”, and “Elder’s House of Vanadzor” NGOs for implementing similar projects.

191. Statistics are provided in annex III.

## **Article 10**

192. Article 35 of the Constitution of the Republic of Armenia provides the definition of the family: “Family is the natural and fundamental cell of the society”.

193. According to the Family Code of the Republic of Armenia (Article 1) of the Republic of Armenia, “The family, the motherhood, fatherhood, and the childhood are under the patronage and protection of the society and the state in the Republic of Armenia”. According to the Law of the Republic of Armenia “On State Allowances” adopted on 24 October 2005 (Article 8), “Within the meaning of this Law, family is a social group of citizens registered and/or actually residing in the same place of residence, the members of which dwell within a single household and share a common budget, as well as a citizen who is residing alone”.

194. According to Article 1 of the Law of the Republic of Armenia “On the Rights of the Child” adopted on 29 May 1996, “A child shall mean anyone not having reached the age of 18, except for cases where the person acquires legal capacity in the manner prescribed by the law or is recognised as having a legal capacity at an earlier age”.

195. According to the Family Code of the Republic of Armenia having entered into force in 2005, “Women and men enjoy equal rights as to marriage, during marriage, and at its dissolution”. Legal regulation of family relations is performed in accordance with the principles of voluntarism of the marital alliance between a man and a woman, equality of rights of spouses in the family, resolution of family disputes through mutual agreement, care for their prosperity, and assurance of basic protection of rights and interests of the juvenile and incapacitated members of the family.

196. The rights of the citizens while getting married and in the family may be limited only by the law and to such extent that this limitation is required for the protection of dignity and good repute of persons, health, rights to freedom and legitimate interests of other members of the family and other persons” (Article 1 of the Family Code of the Republic of Armenia). For entering into marriage, mutual voluntary consent of the man and the woman getting married, as well as attainment of the age of 17 for the woman, and that of 18 for the man shall be required. (Article 10 of the Family Code of the Republic of Armenia). All the circumstances that may hinder from entering into marriage are prescribed in Article 11 of the Family Code of the Republic of Armenia.

197. Appraising and taking into account the crucial role of the Armenian family in securing stability and progress in the society and in upbringing of new generations, key directions of state-led family policy are currently being developed based on issues such as the creation of conditions necessary for human life and development, assurance of the protection of rights and interests of family and child on the state level, and provision of strong guarantees and social support to families. Special importance is attached to affordability of housing for young families and state support in the field.

198. With regard to the provision of housing to young families, the Ministry of Sport and Youth Affairs has elaborated and submitted to the consideration of the interested state agencies a draft concept paper on “Affordable Housing for Youth”.

199. One of the most important functions of the state is the consistent implementation of state-led family policy. In Armenia, social protection of population is regulated by the state, including through assistance programmes targeted at families with minors. See also the “Benefits” section of article 9.

200. Since its first years of independence, the Republic of Armenia attached great importance to the issues of protecting the motherhood and the childhood.

201. The legislation of the Republic of Armenia stresses the importance of the fact that a child shall grow up in a family environment, in an atmosphere of happiness, love and understanding. This is the reason why the Constitution of the Republic of Armenia lays down that family, as a natural environment for its members and, particularly, for the growth and prosperity of children, shall be under the attention of the state and society, and the state and society shall equally care for the family. See also Article 12.

202. Every employed woman shall have the right to paid pre- and post-natal leave, and the right to parental leave following the birth or adoption of a child.

203. In the Republic of Armenia, issues of motherhood and childhood protection are reflected in the Labour Code of the Republic of Armenia; in particular, Article 117 thereof lays down the guarantees of pregnant and child-parenting employees. Employed women are provided with pre- and post-natal leave:

- (a) 140 days (70 days for pre-natal leave, 70 days for post-natal leave);
  - (b) 155 days (70 days for pre-natal leave, 85 days for post-natal leave) in case of difficult delivery;
  - (c) 180 days (70 days for pre-natal leave, 110 days for post-natal leave) in case of delivery of more than one child.
204. These types of leave are calculated in total and granted to the woman in full length.
205. In case of early delivery, days of pre-natal leave are added to the days of post-natal leave.
206. An employee adopting an infant or appointed a guardian of an infant shall be granted a leave for a period from the day of adoption or of being appointed as guardian up to when the infant attains an age of 70 days (in case of adoption or being appointed a guardian of two or more infants – up to when the infant reaches 110 days).
207. Employment contract with a pregnant woman may not be rescinded for the whole period of pregnancy (in case of necessity, upon presentation of a medical opinion), child birth leave and for the subsequent month, as well as in case of a contract with an employee bringing up a child under one year of age, except for cases of liquidation of the organisation (termination of activity of a private entrepreneur) and of a court judgment having entered into legal force on declaration of the employer as bankrupt.
208. According to Article 156 of the Criminal Code of the Republic of Armenia, unjustified refusal to hire or dismissal from work of a woman because of pregnancy or of a person for having a child below the age of three is a punishable act, and shall be sanctioned by a fine in the amount of 200-fold to 500-fold of the minimum salary or by detention for a maximum term of one month.
209. In the procedure of providing an annual leave laid down in the Code, the right to choose the time of leave following the continuous six months of work in the first year of employment was laid down for pregnant women and employees bringing up a child below 14 years of age.
210. Before the expiry of continuous six months of employment, upon the request of the employee, the annual leave shall be granted before or after the maternity leave; annual leave shall be granted to men, at their will, during the term of maternity leave of the spouse.
211. The Code lays down special leaves, such as maternity leave and leave granted for bringing up a child below three years of age.
212. Awareness-raising campaign is arranged throughout the Republic, via mass media, on the rights, guarantees, and benefits of pregnant women.
213. All women may avail themselves of state guarantees of protection of the motherhood and childhood. See also Article 12.
214. Armenia is a State party to International Labour Organization's (ILO) Minimum Age Convention (No. 138). The provisions of the Convention are reflected in the national legislation:
- (a) Constitution of the Republic of Armenia (2005);
  - (b) Labour Code of the Republic of Armenia (2004);
  - (c) Law of the Republic of Armenia "On the Rights of the Child" (1996);
  - (d) Civil Code of the Republic of Armenia (1998);
  - (e) Law of the Republic of Armenia "On Education" (1999);

(f) Decision of the Government of the Republic of Armenia “On approving the list of jobs for persons below the age of 18, pregnant women and those bringing up a child under one year of age, and of hazardous jobs (2005);

(g) Other laws and legal acts.

215. The issue of child protection is one of the major obligations of the Republic of Armenia.

216. The Law of the Republic of Armenia “On the Rights of the Child” lays down the rights of a child, obligations of the state and of the relevant authorities and citizens, as well as the planning principles of public policy implementation in the field of protection of the rights of a child, and regulates relations connected thereto. According to Article 4 of the Law, children shall have equal rights irrespective of their nationality and that of their parents or other legal representatives (adoptive parents, guardians or custodians), race, gender, language, religion, social origin, property or other status, education, place of residence, fact of child birth, health or other condition. The Law also guarantees both the right of every child to protection and improvement of health, and the right to receiving education and choosing an educational institution, as well as to adequate living conditions. Each child shall be entitled to living conditions adequate for the child’s physical, mental, and spiritual development.

217. The main responsibility for providing the child with the necessary living conditions is incumbent upon the parents or other legal representatives, and in the event of incapacity or inability of the parents or other legal representatives to provide the child with the adequate living conditions, the state renders relevant assistance.

218. Secondary education in public educational institutions shall be free. Every child shall be entitled to receive free higher and other vocational education on competitive basis at a public educational institution (see particulars in Article 13).

219. Article 19 of the Law “On the Rights of the Child” lays down the right of a child to labour, according to which each child shall be entitled to receive education in accordance with his/her maturity, development peculiarities and abilities, and to engage in employment which is not prohibited by the law.

220. According to Article 32 of the Constitution of the Republic of Armenia, children under the age of 16 shall not be allowed to work full time.

221. A labour contract may be concluded with a child upon his attainment of the age of 16, and in cases prescribed by the law – upon his attainment of the age of 15.

222. Children under 16 years of age may be admitted to temporary employment upon the written consent of one of the parents (adoptive parents) or the guardian (custodian) and the authority for guardianship and custody, where it does not interfere with their academic activity.

223. According to Article 15(2) of the Labour Code of the Republic of Armenia, the labour capacity of a citizen, his capacity to obtain and exercise labour rights, to create labour responsibilities and to fulfil those (labour legal capacity) shall arise in full scale from the moment of attainment of the age of 16, except for cases prescribed by the Labour Code and other laws.

224. Article 17(3) of the Labour Code of the Republic of Armenia prohibits conclusion of a contract with citizens under the age of 14 or admission thereof to work; as regards children aged 14 to 16 years, they may, according to Article 89(5) of the said Code, be admitted to work upon the written consent of one of the parents, adoptive parent or guardian.

225. According to Article 19 of the Law of the Republic of Armenia “On the Rights of the Child”, the sale of alcoholic beverages, drugs and psychotropic substances, cigarettes, literature and videotapes containing erotic and horror scenes, involvement of a child into production or use thereof, as well as into an employment which may harm their health, physical or mental development, or interfere with their schooling shall be prohibited.

226. National legislation stipulates the protection of children from physical or mental harm and from lack of care, including sexual abuse or exploitation, as well as that of at work. The legislation protects children from neglect, violence, or exploitation and guarantees:

- (a) Prohibition of forced labour;
- (b) Prohibition of employment of children under 15 years of age;
- (c) Special conditions of work for children aged 15 to 18;
- (d) Protection from sexual and mental abuse, as well as other rights.

227. In March 2008, the Republic of Armenia has ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

228. According to the Criminal Code of the Republic of Armenia, trafficking in and violence against children are deemed as aggravating circumstances and entail severe punishment (Articles 262(3)(1), 132 and 1321).

Table 3

**Article 10.6 (c)**

	<i>Employed, total in thousands</i>	<i>Employed minors below 16 years of age, in thousands</i>	
			<i>As % to total employed</i>
1997	1372.2	1.4	0.1
1998	1337.3	7.0	0.5
1999	1298.2	6.5	0.5
2000	1277.7	6.1	0.5
2001	1264.9	5.8	0.5
2002	1106.4	5.2	0.5
2003	1107.6	4.0	0.4
2004	1081.7	3.0	0.3
2005	1097.8	2.5	0.2
2006	1092.4	1.5	0.1
2007	1101.5	1.8	0.2

\*) “Labour Market in the Republic of Armenia” statistical digest for 2006-2007.

229. All the children of the Republic of Armenia enjoy human and civil rights and freedoms.

230. Children deprived of parental care due to different motives form the most vulnerable group of the society and are under special protection and care of the state.

231. State policy in this field is implemented according to the laws of the Republic of Armenia “On the Rights of the Child”, “On social protection of children deprived of

parental care”<sup>12</sup>, and according to the “National Programme of the Republic of Armenia on the protection of children’s rights for 2004-2015” approved upon the Decision of the Government of the Republic of Armenia No. 1745-N of 18 December 2003.

232. The Reform Strategy Paper “On social protection of children in difficult life situations for 2006-2010” adopted upon the Decision of the Government of the Republic of Armenia of 2006 addresses the reforms carried out in and the goals set for the field of social protection of children in difficult life situations.

233. Priority issues of public policy aimed at children deprived of parental care are the following:

- (a) Ensuring full socialisation of children;
- (b) Social and psychological rehabilitation;
- (c) Adaptation to social life;
- (d) Protection of the rights and lawful interests of children.

234. Main principles of state social policy for children deprived of parental care are: priority of children’s interests, exclusion of discrimination and provision of equal opportunities, provision of an atmosphere close to that of family, involvement of communities in solving issues regarding children, cooperation, integrated and uniform approach.

235. Eight (8) state-run and four (4) charity children’s homes are established and operate in the Republic for children deprived of parental care aged between 0-18, including two specialised homes for children with physical and mental defects and for disabled children.

236. As of 1 January 2009, the number of children deprived of parental care under the patronage of the state and maintained at children’s homes equals to 853, including 369 disabled children in specialised child care institutions and 250 in charity children’s homes.

237. Seven (7) centres for child care and protection operate in five Marzes of the Republic of Armenia for children of needy families, where some 600 children are cared for; two (2) state-run social care centres supporting families with children in difficult life

<sup>12</sup> The Law of the Republic of Armenia “On the protection of children deprived of parental care” lays down the legal, economic and organisational bases, goals, principles and forms of social protection of children deprived of family environment. According to Article 8 of the mentioned Law, children deprived of parental care shall be accorded state-provided free medical aid. Children deprived of parental care having received elementary or secondary (full) general education shall be admitted to and shall study in preparatory courses of state institutions of vocational secondary or higher education free of charge. Children may be referred to treatment in sports and health camps, rest houses, and in case of relevant medical instructions – to sanatoriums, with funding from the relevant state and community budgets and other sources not prohibited by law. Children deprived of parental care shall, during the whole period of being or residing in health, child care or social protection institutions, irrespective of the legal form thereof, as well as periods of schooling at vocational secondary or higher educational institution, of service at armed forces of the Republic or of being placed in imprisonment facilities, be entitled to uphold their right of ownership or use of their residential space. Children under 18 years of age and deprived of parental care, having no property rights or right of use over residential premises and have not, for a period of the recent five years, alienated residential premises owned by them, shall be entitled to receive residential premises meeting the minimum social criteria. As to children deprived of parental care and having no residential premises, they shall be granted with residential premises on extraordinary basis by a state administration body authorised by the Government of the Republic of Armenia. The above-mentioned Law also provides for the protection of rights and lawful interests of children deprived of parental care in the field of employment.

situations operate in Gyumri and Yerevan cities, where some 200 children are cared for; there are also four (4) centres operating in the framework of cooperation of state bodies and non-governmental organisations for children with different physical and mental defects, with overall 600 children.

238. These centres aid the families having children in a difficult moral and psychological condition, as well as disabled children, through providing assistance in child care, education and guidance, thus preventing them from being placed in children's homes.

239. Rights and social guarantees of children deprived of parental care are attached special legal importance.

240. In this context, the Decision of the Government of the Republic of Armenia No. 1419-N "On state assistance to graduates of child care institutions of the Republic of Armenia" of 30 October 2003 should be mentioned, which is aimed at arranging the future life of the graduates. Since 2003, financial assistance has been provided from the state budget to the "Armenian People's Forum" non-governmental organisation for project implementation, and since 2006, again with the state budget funding, this project is implemented through the "Armenian Relief Society" benevolent non-governmental organisation. Within the framework of the project, the graduates are provided with dwelling premises, professional orientation, education, training, incomes necessary for covering basic needs, as well as with in-kind, medical care and legal aid.

241. State policy for disabled children has adhered to the values accepted by the international society: all children are equal with their human nature and acquire equal rights from the moment of birth, as laid down in the Law of the Republic of Armenia "On social protection of the disabled in the Republic of Armenia" (1993).

242. Centralised registration of children deprived of parental care living in child care institutions, with relatives or foster families is conducted since 2004 by the Ministry of Social Affairs of the Republic of Armenia, the number of which equals to 1664, as well as of children with housing needs, the number of which is 74.

243. All the children deprived of parental care and maintained at children's homes are informed about their rights, are familiar with the main provisions of the Convention on the Rights of the Child and the Law of the Republic of Armenia "On the Rights of the Child", they are also informed about the planned and the existing state social guarantees.

244. This process is managed by the directorates of children's homes and certain non-governmental organisations dealing with children's issues, and is permanently supervised by the Ministry of Labour and Social Affairs of the Republic of Armenia that coordinates the activities of these institutions.

## **Article 11**

245. Article 34 of the Constitution of the Republic of Armenia lays down that everyone shall be entitled to adequate standard of living for himself/herself and for his/her family, including housing and improvement of living conditions.

246. The Government of the Republic of Armenia has undertaken a number of measures, adopted decisions and drafted relevant programmes for the improvement of the living standard and conditions and for the assurance of the right to adequate food of the population within the Republic.

247. Thus, the "Food safety policy of the Republic of Armenia" was adopted in 2005, and the "Strategy for sustainable agricultural development of the Republic of Armenia" was adopted in 2006.

248. For the purpose of improving the family allowance system in the Republic of Armenia and raising the efficiency of targeted social assistance to needy families, on 3 July 2000, the Government of the Republic of Armenia adopted a Decision No. 350 “On the procedure for granting and paying the family poverty allowance and the one-off financial aid”.

249. And in order to effectively arrange the elaboration works of the “Poverty Reduction Strategic Program”, a Steering Committee was set up upon the Decision of the Government of the Republic of Armenia No. 267 of 15 May 2000.

250. The “Interim Poverty Reduction Strategic Programme” and the “Poverty Reduction Strategic Programme”, which in 2008 was reviewed and renamed into “Sustainable Development Programme”, were developed by the said committee and approved by the Government of the Republic of Armenia in 2001 and 2003 respectively. The “Sustainable Development Programme” envisages, inter alia, an introduction of evaluation and monitoring system, as well as measures to ensure reporting, transparency, and public awareness raising.

251. The National Statistical Service (NSS) of the Republic of Armenia carries out integrated research of the living standards of households, that is, the poverty analysis. Annual research reports of the NSS are posted at the [www.armstat.am](http://www.armstat.am) website.

252. A number of support programmes for vulnerable groups of population are operating in the Republic (see the details in Article 9).

253. Some 55 regional bodies rendering social services are engaged in granting and payment of family allowances in the sphere of social aid, their services covering the whole territory of the Republic. The issue of enhanced effectiveness of administrative mechanisms is under attention since late 2008, for the purpose of identifying the “new poors” having emerged due to the economic crisis.

254. Support to the vulnerable groups of the society is rendered by communities, donors, entrepreneurs, and NGOs.

255. Agriculture is one of the leading sectors of the Republic of Armenia, the share of which comprises in average 18.6% of the country’s Gross Domestic Product (GDP) according to the data of the last five years, and respectively 23.1% calculated together with the agricultural product (raw material) processing industry. In the Republic of Armenia 866 communities out of 925 are rural, and the number of people engaged in agricultural activities forms 46% of the employed, with more than one third of the country’s population living in rural communities.

256. As a result of the implemented agrarian policy, the gross agricultural output increases yearly, the consumption structure is being improved, there is apparent augmentation of rural economies, increase of marketability of the latter (54.6% according to the 2008 data), and gradual decrease of rural poverty (25.5% according to the 2007 data).

257. Along with the said, agriculture in the country remains quite vulnerable, which is due to small sizes and fragmentation of rural economies. Factors adding to the vulnerability of the sector are comparative lack of lands, aridity, poor infrastructures and their incompatibility with the conditions of market economy, poor access to loans, high probability of occurrence of natural disasters (draught, hail, flood, frost, landslides, heavy showers, storms, etc.).

258. High risk of agricultural works and vulnerability of the sector do not allow for ensuring expanded reproduction in numerous agricultural economies and for increasing the attractiveness and competitiveness of agricultural products. Due to riskiness of the

agricultural sector, the operators of the sector continue to receive a very low number of loans from commercial banks.

259. Armenia is a full member of the World Trade Organization (WTO) since 2003. In line with the commitments undertaken within the WTO membership, actions were carried out for the improvement of the legislation of the Republic of Armenia and for the adoption of necessary legal acts aimed at clarifying tax legislation, improving access to domestic market, ruling out discrimination in international trade, directions providing subsidies, as well as for implementing the provisions of the WTO agreements “On Agriculture”, “On Application of Sanitary and Phytosanitary Measures”, “On Technical Barriers to Trade”, and a number of other agreements<sup>13</sup>.

260. The said legal acts specially emphasise the enhancement of public control over the enforcement of legislation, harmonisation of national legislation to internationally accepted standards, effective cooperation between private and public sectors and non-governmental organisations.

261. Policy and agrarian reforms carried out in the recent decade are aimed at improving the quality of life of the rural population, gradual solution of food safety issues of the country, proportional development of rural communities bearing in mind progressive development of mountainous, alpine, frontier and scarcely populated territories, assurance of the “right to food”, complete nutrition, propaganda and enrooting of healthy lifestyle, and ensuring rule of law in the mentioned spheres.

262. The following benchmark strategic programmes for the perspective development in the agricultural field are highlighted:

- (a) National Security Strategy of the Republic of Armenia;
- (b) Sustainable Development Programme (Section 7);
- (c) Reviewed version of the Sustainable Agricultural Development Strategy of the Republic of Armenia;
- (d) 2008-2012 Action Plan of the Government of the Republic of Armenia;

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<sup>13</sup> The Law of the Republic of Armenia “On Veterinary Medicine”;  
- The Law of the Republic of Armenia “On Food Safety”;  
- The Law of the Republic of Armenia “On Cattle-Breeding”;  
- The Law of the Republic of Armenia “On Exploitation of Agricultural Equipment”;  
- The Law of the Republic of Armenia “On Agrarian Inspectorates”;  
- The Law of the Republic of Armenia “On Organising and Conducting Control in the Republic of Armenia”;  
- The Law of the Republic of Armenia “On the Protection of Consumer Rights”;  
- The Law of the Republic of Armenia “On Seeds”;  
- The Law of the Republic of Armenia “On Plant Quarantine and Plant Protection”;  
- The Decision of the Government of the Republic of Armenia “On approving the statute and structure of the state inspectorate of food safety and sanitary medicine of the ministry of agriculture of the republic of Armenia” (No 1915-N of 21 November 2002); - Order of the Minister of Health of the Republic of Armenia “On approving the shelf-life expiry dates and conditions, sanitary rules and hygienic norms n2-III-4.4-1 particularly for perishable food products” No. 961-N of 28 December 2001;  
- Order of the Minister of Health of the Republic of Armenia “On approving hygiene requirements, sanitary rules and hygienic norms n2-III-4.1-01-2003 for production of milk and dairy products” No. 108-N of 18 February 2003;  
- Order of the Minister of Agriculture of the Republic of Armenia “On approving the list of plant quarantine and regulated non-quarantine pests” No. 188-N of 23 August 2007.

(e) Medium Term Expenditures Framework;

(f) Executive Order of the President of the Republic of Armenia No. NK-68-A of 6 May 2009 “On approving the 2009-2011 list of measures assuring the implementation of the Republic of Armenia–European Union Action Plan of European Neighbourhood Policy”.

263. Ongoing reforms and adopted legal acts in the agricultural sphere may be found in detail at [www.minagro.am](http://www.minagro.am) website.

### **Housing**

264. The legislation of the Republic of Armenia, particularly the Constitution of the Republic of Armenia, the Civil Code of the Republic of Armenia, the Land Code of the Republic of Armenia and other relevant legal acts fully entitle the citizens to:

(a) Purchase and lease apartments (residential houses);

(b) Receive apartments with the right of ownership (donation, inheritance, exchange, rent, etc.);

(c) Privatisate in the manner prescribed by the law the leased state-owned apartments;

(d) Build apartments and purchase or lease tracts of land for this purpose;

(e) Receive mortgage loans for purchasing or building apartments and secure those through pledging the apartment that is purchased or built;

(f) Transform the non-residential premises belonging to them into residential premises in the manner prescribed by the legislation of the Republic of Armenia;

(g) Maintain and manage apartments (residential houses) belonging to them by the right of ownership.

265. Article 31 of the Constitution lays down that everyone shall have the right to freely own, use, dispose of and bequeath his/her property at own discretion.

266. Part 4 of the Civil Code of the Republic of Armenia is fully dedicated to the regulation of relations arising from the right of ownership and other rights in rem. In particular, Article 163 of the Civil Code of the Republic of Armenia lays down that the owner shall have the right to undertake at its discretion any actions in connection with the property belonging to him that do not contradict a law and do not violate the rights and interests of other persons protected by the law, as well as to alienate its property to the ownership of other persons, transfer to them the rights of use, possession and disposition of the property, as well as to pledge the property or to dispose of it in another manner. The right of ownership to new property made or created by a person for itself subject to the requirements of law and other legal acts shall be acquired by this person. The right of ownership over newly created immovable property shall arise from the moment of its state registration in accordance with the provision of the Law of the Republic of Armenia “On State Registration of Rights over Property”. According to Article 166(4) of the Civil Code of the Republic of Armenia, the rights of all owners shall be protected in an equal manner.

267. No one may be deprived of property except for through judicial procedure in cases envisaged by the law.

268. According to Article 31 of the Constitution of the Republic of Armenia, alienation of private property for public and state needs may be carried out only in special cases, i.e. for prevailing public interests, in the manner prescribed by the law, and with prior equivalent compensation. In 2006 the National Assembly of the Republic of Armenia

adopted the Law of the Republic of Armenia “On Alienation of Property for Supreme Public and State Needs”, which lays down the grounds for alienation of property for public and state needs, its procedure, manner of compensation for alienated property, the concept of exclusive supreme public interest and the manner for its determination.

269. The Law of the Republic of Armenia adopted in 2002 “On allocating to refugees with the right to ownership the apartments built for refugees exiled from the Republic of Azerbaijan in 1988-1992” regulates the relations pertaining to the allocation to refugees with the right to ownership of the apartments in residential buildings and the cottage-type houses (hereinafter referred to as “apartments”) constructed in the territory of the Republic of Armenia through the funding received from the state budget of the Republic of Armenia, as well as from foreign countries and international organisations for the refugees exiled from the Republic of Azerbaijan in 1988-1992, including for those of them having received citizenship of the Republic of Armenia (hereinafter referred to as “refugees”). According to the mentioned Law, the apartments are allocated to the refugees free of charge.

270. Upon its Decision No. 747-N of 20 May 2004, the Government of the Republic of Armenia approved the priority programme of housing for refugees exiled from Azerbaijan in 1988-1992. According to the criteria approved for the selection of programme beneficiaries, contending beneficiaries of the programme are those refugee families that live in temporary dwellings (dormitories, schools, kindergartens, resort houses, hotels, public administrative premises), as well as those families that live in trailers allocated to them near homestead lands. Within the framework of the programme, refugees were provided with housing through issuing to them of state-provided housing purchase certificates, and provision of housing through construction was carried out through funding of international donor organizations, such as the UNHCR and the Norwegian Refugee Council.

271. As to the certificate value, it depends on the size and place of residence of the family. The amount in the certificate is calculated based on the data produced in the recent quarter, provided by the State Committee of the Real Estate Cadastre of the Republic of Armenia on the average market price of block-buildings in the place of residence of refugees. Moreover, quite flexible mechanism is applied in this respect: refugees can add up their own funds to the amount in the certificate and acquire an apartment of their choice, as well as the opposite, i.e. purchase an apartment of a lesser value than the amount in the certificate and use the margin between the value of the certificate and the price of the apartment for their own needs.

272. In recent years, the programme was implemented in the Marzes of the Republic, yet not all the refugees that obtained housing purchase certificates (HPC) were able to purchase apartments or a residential house; the programme did not yet launch in Yerevan, where the number of beneficiary families equals to 1100. According to forecasts, an estimate of AMD 15-16 billion will be required for solving the housing problem of beneficiary refugee families in Marzes having obtained HPCs but not purchased an apartment, as well as of those in Yerevan city. However, only AMD 815 million is being annually allocated for this purpose from the State Budget of the Republic of Armenia.

273. In addition to this, another 3.5-4 thousand refugee families do not have permanent shelter according to the preliminary assessment, and live in the apartments of their relatives or friends, in wrecking structures, as well as in rented premises; unfortunately there is no programme underway for these families in the Republic.

274. Today, Armenia having not completely resolved the issue of the exiled Armenians from Azerbaijan, the state authorities and international organisations face new challenges. That is the new wave of refugees and asylum-seekers from Iraq (943 persons), Iran, Georgia (117 persons), as well as of Turkish Kurds and citizens of other countries, totalling

to 1588. And in contrast to the case with the 1988-1992 refugees, the state is incapable of providing all the new refugees with temporary housing. However, with the direct support of the Government of the Republic of Armenia and the UNHCR funding, the capacities of “Special housing” SNCO - which deals with the issues of asylum-seekers - were enhanced, and additional 27 rooms for 45 asylum seekers were repaired and furnished for this purpose.

275. The building of the former agricultural college of Darbnik village of Ararat Marz of the Republic of Armenia was reconstructed for asylum-seekers from Iraq – hosting 47 furnished rooms. Another 22 furnished rooms on the third floor of the dormitory situated at the address 70/1 Moldovakan Street were reconstructed to serve the same purpose.

276. According to the Law of the Republic of Armenia “On supplementing the Law of the Republic of Armenia on State Duties,” the asylum-seekers are exempt from payment of the state duty for filing an appeal to the court in cases of rejection of their asylum applications, which creates favourable conditions for contesting in court the decisions regarding their asylum status.

277. Housing conditions of population, i.e. possibility to have safe and accessible housing space are considered a major element in improving the provision of its biological needs.

278. The Soviet-era housing policy was targeted at centralised allocation of state funds envisaged for housing construction and gratuitous provision of apartments to the families on waiting lists needing improved housing.

279. After the declaration of independence of Armenia, housing problems of the population, which gained special importance in the light of a number of natural disasters - the earthquake, landslides, also as a consequence of military actions and the large inflow of the exiled refugees, continued to be addressed through direct financing of the housing construction. Yet due to the subsequent shortage in budgetary funding, the construction pace decreased considerably and in 2000 a mere 62 thousand square metres of housing space was put into place as against 849 thousand square meters of 1991.

280. The Nagorno Karabakh war, the economic blockade, ensuing sharp economic decline and migration processes had their impact on the housing market, and brought out the need to come up with new approaches on using the state funds targeted at resolving housing issues.

281. Targeted programmatic approach of state aid, aimed at resolving housing issues of families left without shelter as a result of man-made and natural disasters, was elaborated by the state. As a result, a number of programmes were adopted since 2000, with a particular stress by the Government on housing issues of families left without shelter due to Spitak earthquake. Actions implemented in 2000-2007 within the frames of the adopted programmes rendered support to some 16 thousand families out of 32 thousand in need of state assistance in improving their housing conditions.

282. Current state programmes are based on shifting from direct financing of construction to targeted financial assistance, for it proves inexpedient for the state to engage in direct funding of housing construction in the situation where 1 square meter of constructed space is three times more expensive than the supply price of the same space on the housing market.

283. Programme implementation results indicate that currently it is more effective to meet the obligation of providing housing through granting free financial aid in the form of housing purchase certificates for purchasing an apartment (residential house) on the market, which promoted the development of housing market and the establishment of housing construction business.

284. The volumes of direct state funding of housing construction are conditioned by the impact of housing certificates on the market.

285. A drastic increase in the pace of housing construction through private investments was registered in the recent years. With the purpose of creating favourable conditions for boosting the volumes of the housing construction funding, one of the priorities of the state is the enhancement of mortgage system, which aims at increasing the affordability of housing.

286. At first glance, there is no pressing need for housing in the Republic of Armenia: the residential space per capita indicator equalled to 23.6sq.m as of 1 January 2007, including 21.0sq.m for urban areas and 28.3sq.m for rural settlements. These indicators are comparable to those of a number of Eastern European countries. Bearing this in mind, however, there are still a number of issues which condition the high demand in housing.

287. These issues include the following:

(a) Improvement of housing for approximately 22 thousand families, including refugees and families left without shelter (disaster zone, wrecking structures, etc.) as a result of manmade and natural disasters and for those living in temporary housing, shacks, other public premises, which are included in state aid programmes adopted in previous years and currently underway;

(b) Provision of housing to families left without shelter which are included in family vulnerability system beyond the frames of the adopted state aid programmes.

288. In 2008, 21.7 thousand or 13% out of 167 thousand families registered in the family vulnerability system needed housing.

289. According to data of the 2001 census of the Republic of Armenia, there are around 33 thousand families living in overpopulated apartments (four and more persons in one room) and another 2 thousand families living in shared apartments, which need improvement of housing conditions.

290. Thus, there are in total around 76 thousand families in need for better housing conditions in the Republic, 30 thousand of which (or, respectively 9,6% and 3,8% of the Republic's permanent population) are without shelter and live in trailers, public premises, etc.

291. In the light of current market relations, the need to solve issues pertaining to the improvement of population's housing conditions required considerable changes in the housing policy.

292. As a result of examining this issue, the Government of the Republic of Armenia approved upon its Decision No. 380-A of 28 April 2008 the Concept Paper "On Solving Housing Issues of Families of Disaster Zone Settlements Left without Shelter as a Result of the Earthquake", which aims to resolve the housing issues of people without shelter by 2013. One of the directions proposed in the Concept Paper is the solution of housing issues through the state aid alternative, where the issues are settled not only through financial aid, but also through application of new mechanisms for financing the housing construction, that is by providing state-guaranteed mortgage loans to private developers.

293. Since 2009, a pilot project of complex development of residential blocks in the town of Gyumri is underway, which envisages to complete the construction of 3000 housing units by 2013, as well as development of common amenities and social-cultural infrastructures. The project will create grounds for integration of the private sector in the housing programmes, as well as for setting up platform for cooperation of public and private sectors in attracting large-scale capital investments of the private sector in housing

construction. Partnership of public and private sectors may accelerate market activities, and create a potential for employment growth and poverty reduction.

294. In this context, an innovative project named “Social Housing in Supportive Environment” was implemented in 2005-2008 by the Armenian office of Swiss Agency for Development and Cooperation in Goris town of Syunik Marz of the Republic of Armenia. The goal of the project was to test the model project of the “Social Housing in Supportive Environment”, promoting elaboration and development of the policy aimed at improving housing conditions of vulnerable families left without shelter. In the result of the project, 23 refugees and locals were selected as beneficiaries of the project from among refugee and vulnerable local families comprised of one or two persons that are considered shelterless and a family with many children (comprised of six persons) living in a trailer was selected as a “supporting” family. The buildings were constructed on a site allocated by the municipality of Goris - meeting all the requirements for development, and based on designs of residential houses selected from among design catalogues of the houses included in housing programmes carried out through state aid in the settlements of the Republic of Armenia. In this respect, it should be mentioned that the residents will have to pay only fees set for public utilities (water, electricity, natural gas, etc.) supplied, whereas maintenance costs of the building will be borne by the Goris municipality. Within the framework of the same project, it is envisaged to implement Goris-2 project.

295. In 2008 a similar project was implemented in Kanaker-Zeytun administrative district of Yerevan, where a Social house for 30 families was put into operation, hosting refugee and local needy families.

296. 314. In February 2009 an Agreement of Cooperation was concluded between the Ministry of Urban Development of the Republic of Armenia and Habitat for Humanity Armenia Foundation, according to which the parties will, by bringing together their resources and capacities, aim at contributing to the improvement of the housing conditions of people living within the Republic of Armenia that do not correspond to the requirements laid down by the legislation of the Republic of Armenia for permanent residence. Within the framework of this cooperation, the issue of improving housing conditions of residents living in residential houses damaged as a result of missile bombardment in frontier villages of Tavush Marz of the Republic of Armenia is in the process of discussions.

297. Statistics are presented in annex IV.

## **Article 12**

298. Annual reports on the health of population of the Republic of Armenia are submitted to the World Health Organization (WHO) and are available in the “Health for All” and a number of other databases and the following websites: <http://www.who.int/research/en/>, “Health for All” <http://data.euro.who.int/hfad/>, and <http://www.euro.who.int/hfad/>, <http://data.euro.who.int/CISID/>.

299. Since 1999 reforms are being carried out within the structure of the Ministry of Health of the Republic of Armenia geared at the creation of conditions for medical aid and medical care for all in the event of sickness, which were mainly tailor-made for the development of primary health care sector and creating favourable conditions for introduction of family medicine as a more effective structural and appropriate model, as well as for assurance for the population of access to and quality of such level of health care.

300. Strategy on primary health care of the population of the Republic of Armenia for 2008-2013 was adopted, which reflects the policy of the Government of the Republic of Armenia in this field. It pinpoints the continuation of processes aimed at the development of primary health care field as approved by the Decision of the Government of the Republic

of Armenia No. 1533-N “On Approving the 2003-2008 Pilot Project of Primary Health Care of the Population of the Republic of Armenia and the 2003-2005 Pilot Project on Organisation and Elaboration of New Methods of Funding of Primary Health Care of the Population of the Republic of Armenia”, and is one of the directions for implementing the Poverty Reduction Strategy Paper of the Government of the Republic of Armenia of 8 August 2003. According to the Sustainable Development Programme adopted upon the Decision of the Government of the Republic of Armenia No. 1207-N of 30 October 2008, increased access to health care services and increased level of their affordability and continuous improvement of their quality will remain a public policy priority, with a particular consideration of increased access to the key services for all the territories and of differences in frequency of use of health care services by different social groups of population. In elaboration and implementation of policy conducted in the field of health care, the demographic situation of the country and the current trends will also be considered, with a particular stress on issues of organisation of health care services for children, mothers and elderly population and on enhanced access thereto.

301. Within the frames of the World Bank loan on health care and in partnership with the USAID, around 266 rural outpatient clinics and obstetric units were repaired and reconstructed by 2009. Repair and reconstruction works of some 14 rural outpatient clinics and health care centres will be completed by 2009. All the mentioned health care centres were furnished with medical tools, equipment, and accessories.

302. Professional training of family physicians, family nurses and obstetric midwives were held, as a result of which some 960 family physicians and 988 family nurses currently work in the primary health care system, 60% of which are from the rural settlements of Marzes of the Republic of Armenia. Currently some 226 family physicians and 162 nurses are passing specialisation trainings.

303. Since primary health care continues to remain a priority in the field of health care, the whole population is involved in the process since 2006 irrespective of age and social status (with the exception of professional dental services which is free only for representatives of vulnerable groups, including for children aged under 8 and 12 and persons aged 65 and over), as a result of which the annual average number of visits per capita to outpatient polyclinic institutions has significantly increased, equalling to 2.8 in 2006 and to 3 in 2007, as compared to 2 in 2003.

304. Development of the primary health care allowed to improve and assure access to medical aid, and, conditioned by that, the principles of social justice and equality.

305. Further development of primary health care will remain a target for public activities undertaken in this field for at least an intermediate term. At the same time, modernisation of in-patient system of Marzes is especially essential for increasing the level of access to and quality of primary health care services in all the territories. The bulk of measures and services aimed at assuring and improving public health will particularly include prevention and control over infectious and non-infectious diseases, assurance of conditions favourable for life, protection of public health from negative impact of various risks and dangerous factors, as well as raising awareness on such and propaganda of healthy behaviour and lifestyle among population.

306. “Guidelines for early detection of breast cancer”, “Standard for early detection of malignant growths”<sup>14</sup>, “Guidelines for arrangement of preventive visits by primary medical care physicians”, “Guidelines for detection of glaucoma for family physicians”, “Guidelines for treatment of pancreatic diabetes for family physician and family nurse” and

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<sup>14</sup> The latter was introduced in the practice of family doctors.

“Guidelines for treatment of patients with chest pains for physicians of primary medical care” were elaborated.

307. Also a programme on “Prevention, early detection and treatment of common non-infectious diseases” was elaborated.

308. According to the Action Plan of the Government of the Republic of Armenia for 2009 as approved by the Decision of the Government of the Republic of Armenia No. 40-N of 15 January 2009 “On Approving the Action Plan and Priority Issues for 2009”, currently the elaboration of the “Concept Paper on Prevention, Early Detection and Treatment of Common Non-Infectious Diseases” is underway. It will be directed at disclosure of causes of cardio-vascular diseases, malignant growths and pancreatic diabetes and will be suggesting strategies for reducing such.

309. Since 1997 budgetary allocations are made within the framework of annual state target programmes, laying down the scope of state-provided medical aid and service. Medical assistance, which is not government-sponsored, is provided on a paid basis.

329. The government-provided basic medical services package elaborated within the framework of financial administration reforms is geared at accessibility of medical aid for children and women, with a special stress on annual target projects aimed at maternal and child health care.

310. The Government of the Republic of Armenia attaches importance to the improvement of health sector funding and to its social nature. Funding from the State Budget of the Republic of Armenia continues to rise. Actual expenditures on health care in 2003 equalled to 1.2% of the country’s GDP, and to 1.54% in 2007. Subsidies for primary health care are increasing correspondingly: for the same period, they rose by 2.57 times and are higher than the funds allocated by the state to in-patient clinics.

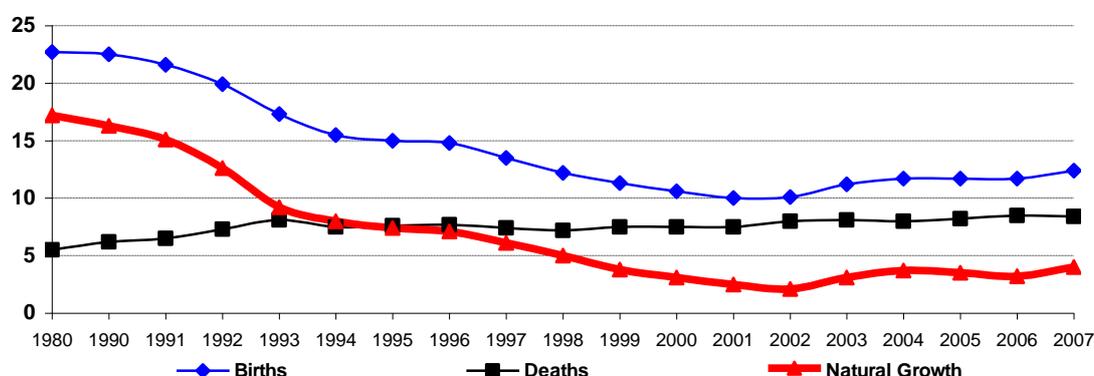
Table 4

**Distribution of increased expenditures of the consolidated budget for 2003-2006**

<i>Indicators</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>Total Increase</i>
			AMD billion, in current prices		
General expenditures	52.5	30.9	95.3	78.3	257.0
Social sector	21.9	29.8	39.9	41.0	132.6
of which					
Health care	3.6	5.1	6.4	8.4	23.5
			% to the increase of total expenditures		
Social sector, total	41.7	96.6	41.9	52.3	51.6
Health care	6.9	16.5	6.7	10.7	9.1

311. According to the official data published by the National Statistical Service (NSS), the number of births registered in the Republic in 2007 increased by 6.6% as compared to 2006, reaching 40,105 (as against 37,639 in 2006). Yet overall natural growth per 1000 people in 1990-2001 decreased 6.5 times (16.3 times in 1990, 2.5 times in 2001), and the total birth rate decreased by more than 2 times (22.5 times in 1990, 10.0 times in 2001). Despite these negative trends, positive balance of natural growth in Armenia persisted in harsh years of crisis, and the indicator displayed sustainable growth in the last 5 years (2.5 times in 2001, and 4.1 times in 2007).

Figure 1  
**Relative indicators of births, deaths and natural growth per 1000 people, Armenia, 1975-2007**



312. Data on child vaccinations are provided on the <http://data.euro.who.int/CISID/> website.

313. 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 aid and care in pre-natal period. Such services are slightly more accessible in urban areas (96%), than in rural settlements (89%).

314. Almost all the 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. Obstetrical state certificate project has been introduced in the health care system since 1 July 2008, which aims at providing the population with more affordable and actually free obstetrical services.

315. Medical aid and service related to pregnancy and delivery is carried out free of charge within the framework of state-provided target public health programmes<sup>15</sup>.

316. Obstetrical state certificate is filled in and issued to pregnant women by the medical institutions (women's consultation, health centres) where the woman is registered and where her pre-natal follow-up is carried out.

<sup>15</sup> State-provided services include:

- pre-natal surveillance of pregnancy;
- medical assistance in pathological pregnancies;
- child delivery and post-natal care;
- child delivery through Caesarean section.

State-provided free clinical obstetric aid includes the full scope of measures required for child delivery:

- provision of medicines and medical accessories;
- necessary laboratory, equipment-based and diagnostic examinations;
- consultations of narrow specialists;
- medical interference as required;
- provision of wards to parturient women;
- treatment and care of the woman and child by a physician, mid-level and junior medical practitioners.

317. The Certificate is submitted to the medical institution where the delivery is planned. It grants a woman the right to state-provided free medical care and serves as the basis for financial compensation to the given medical institution by state for the given medical service.

318. The State guarantees free medical aid and services based on the principle of combination of medical and social indications<sup>16</sup>. The list of persons included in socially vulnerable and separate (special) groups was approved by the Decision of the Government of the Republic of Armenia No. 318-N of 4 March 2004<sup>17</sup>.

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

320. Article 48 of the Constitution of the Republic of Armenia prioritises the protection and patronage of family, the motherhood and the childhood among major issues of state's concern in the economic, social and cultural fields. Issues of children's and juveniles' health and development are reflected in a number of laws, strategies, and programmes (see Annex V).

<sup>16</sup> Based on this, the State guarantees free medical aid and services:

- in case of diseases of particular social importance and situations requiring resuscitation and urgent medical aid - for all population, irrespective of age and social status, with the exception of Yerevan city, where the state-provided free in-patient medical aid and service is rendered only to persons included in socially vulnerable and separate (special) groups of the population and to pensioners, whereas for other groups of population the principle of shared medical costs is applied.
- with regard to basic diseases and medical aid – for persons included in socially vulnerable and separate (special) groups; this includes in-patient examination and treatment irrespective of the diagnosis, with the exception of services included in the “Criterion for medical services rendered through most innovative and expensive technologies” approved by the Order of the Minister of Health of the Republic of Armenia No. 1814-A of 10 December 2008.

<sup>17</sup>

1. Disabled persons of the first group
2. Disabled persons of the second group
3. Disabled persons of the third group
4. Persons having participated in the World War II and persons of equal status to them
5. Single parent children (under 18 years of age)
6. Children left without parental care (under 18 years of age) and persons having equal status to them (18 to 23 years of age)
7. Disabled children (under 18 years of age)
8. Children of families with many children (with four or more minors aged under 18)
9. Family members of military servicemen killed (deceased) while defending the Republic of Armenia, as well as while fulfilling his official duties
10. Participants of works for elimination of effects of Chernobyl accident
11. Repressed persons
12. Persons undergoing additional medical examinations based on the appointment card issued by the public body authorised to conduct medical-and-social examination
13. Children of families comprised of disabled persons (under 18 years of age)
14. Children under 7 years of age
15. Persons of pre-conscription and conscription age (in-patient and out-patient medical aid, and in case of persons of conscription age, also in-patient examination)
16. Military servicemen and their family members
17. Arrested persons and persons sentenced to imprisonment
18. Persons included in the poverty (family) allowance scheme, with 36,0 and more points
19. Residents of children's and nursing homes
20. Children undergoing regular medical check-ups (under the age of 18)
21. Persons aged 65 or older (dental aid)

321. Currently maternal and infant health care in Armenia is carried out through primary health care and in-patient facilities.

322. Primary health care sector includes 467 medical facilities rendering out-patient polyclinic services and 638 medical obstetric units in rural communities, which operate in Armenia. District paediatrician engaged in medical activities (family physician) carries out the surveillance of a healthy child: assessment of growth and development of the child, examination of minors of pre-prescription age, arrangement of laboratory and equipment-based diagnostic examinations, and in case of necessity – treatment, assessment of physical development and puberty of girls aged 15 to 18, arrangement of child referral to treatment in other specialised institutions, and other functions. Medical aid and services for juveniles (15 to 18 years of age) are also carried out through district paediatrician attached to the child or through family physician or through adolescent doctor, including provision of “Juvenile-friendly” medical services.

323. Out-patient secondary medical services are provided by relevant specialists at currently functioning polyclinics, or, in certain cases, by physicians of in-patient clinics. In-patient secondary medical services are provided in community in-patient clinics (former central regional hospitals), as well as in those of Yerevan, Gyumri and Vanadzor. Tertiary medical services are centralised in Yerevan’s in-patient clinics.

324. Professional aid is rendered to children and juveniles also by a number of services: psychiatric, anti-tuberculosis, republican centre of HIV/AIDS prevention, etc.

325. The network of dispensary services for chronic patients is being developed in recent years. These are centralised mainly in in-patient clinics of Yerevan and include treatment of such diseases as chronic ailment, rheumatologic, neurological, gastroenteric, urological diseases, etc. Chronic patient and disabled children have a chance to continue their treatment in paediatric rehabilitation centres and health resorts.

326. National Programme for Reproductive Health Improvement (2007) approved the development concept for population’s reproductive health sector for 2007-2015, as well as relevant strategies, schedule of activities and timeframes of their implementation. Strategies of the programme include:

(a) The goal of improving contraceptive services: to extend the accessibility of quality contraceptive services for all strata of population;

(b) The goal of fight against cancer of organs of reproductive system: to decrease the indicator and spread of new cases of cancer of reproductive system organs.

327. Currently Armenia has a favourable institutional and legislative framework for introduction and promotion of family planning programmes. In 2002 the National Assembly of the Republic of Armenia adopted the Law “On Human Reproductive Health and Reproductive Rights”. According to this Law, use of contraceptive methods is legal in Armenia.

328. Since 1996, with the support of international organisations, particularly of United Nations Population Fund and World Health Organization, family planning centres have been established in Armenia. Currently the number of family planning centres reaches 75, where obstetrician gynaecologists or family physicians have competence to provide family planning consultation services to visitors.

329. In 2005 a Clinical and Epidemiological Study on Prevalence of Cervical Cancer and Sexually Transmitted Diseases was conducted with the support of the United Nations Population Fund. Based on the findings of the study and WHO recommendations, the Ministry of Health of the Republic of Armenia approved in 2005 the National Programme on Early Diagnosis, Treatment and Prevention of Cervical Cancer for 2005-2015.

Guidelines and training handbooks based on modern methods of clinical screening were elaborated and approved in Armenia. WHO has organised trainings for 15 gynaecologists and 18 cytologists for assuring continuous training of specialists of the sphere.

330. Extensive work is conducted in Armenia aimed at improving all aspects of environmental and industrial hygiene (see also Annex 7). State guarantees which exclude the impact of hazardous and dangerous factors of environment on human organism and ensure favourable conditions for sustainability of population and of future generations are laid down in the Law of the Republic of Armenia “On Ensuring Sanitary-Epidemiological Safety of the Population of the Republic of Armenia”. For excluding the impact of hazardous and dangerous factors of the environment on human organism, sanitary-epidemiological criteria are being laid down, sanitary and epidemiological rules and norms, as well as hygiene regulations are being elaborated. Adherence to them is mandatory for all in the territory of the Republic of Armenia, and supervision is carried out over adherence to the requirements. All legal acts are published in official and legal bulletins in the prescribed manner (Irtek, [www.arlis.am](http://www.arlis.am)). Requirements on working environment factors (among other factors of environment surrounding humans), occupational safety and health conditions are laid down by the sanitary legislation of the Republic of Armenia, i.e., sanitary rules, norms and hygiene regulations, which lay down the hygiene criteria for maximum allowable levels of occupational hazards at workplace and for occupational workload and stress. Control over fulfilment of the mentioned requirements is carried out by the Hygiene and Anti-Epidemiological Inspectorate under the Ministry of Health of the Republic of Armenia.

331. In recent years these issues are regulated by many legal acts. Sanitary legislation regulating occupational hygiene was significantly updated and developed (the list of the legal acts is presented in Annex II (point 7.3)).

332. Serious works are in progress directed at prevention, treatment and control of epidemic, endemic, occupational and other diseases, through developing, enhancing and modernising epidemiological control systems of infectious and non-infectious diseases, and bringing those in line with international requirements. Draft Law of the Republic of Armenia “On Ensuring Public Health Safety” was elaborated and submitted to the Government of the Republic of Armenia, which lays down a number of fundamental provisions for the sphere, particularly measures for prevention of infectious diseases through immunisation, containment (quarantine) and sanitary-quarantine preventive measures and mechanisms of their implementation, as well as measures applied against contagious patients, mandatory medical examination, and delivery of hygiene education. Armenia undertook the process of introduction of WHO International Health Regulations (IHR 2005); the timetable of measures ensuring the introduction has been elaborated and will be submitted for the approval by the Government. In the recent decade significant achievements in fighting controllable infectious diseases have been recorded in the Republic of Armenia. Since 1996 such diseases as poliomyelitis and diphtheria have not been recorded in the country.

333. Since 2002 Armenia has been certified as a “poliomyelitis free” zone. For sustaining achievements in the fight against poliomyelitis in the country, additional immunisation against the disease together with scheduled preventive measures were undertaken in 2008 (scheduled vaccinations, immediate laboratory examinations of suspicious cases).

334. For elimination of local cases of measles and rubella, as well as control of mumps and congenital rubella syndrome, the “National Programme for Elimination of Measles and Rubella, Control of Mumps and Prevention of Congenital Rubella Syndrome (CRS) in the Republic of Armenia” was adopted upon the Decision of the Government of the Republic of Armenia No. 25 of 28 June 2007; as a result of additional vaccinations against measles and rubella conducted in the framework of this Programme in October 2007, a significant

decrease in the cases of infections with measles and rubella was recorded. Particularly, following vaccinations against measles and rubella in 2007, no measles infections were recorded in 2008, and rubella infections dropped by 99%.

335. For improvement of quality of medical aid, the bulletin on “Clinical Standards of Treatment of Most Common Child Diseases”, “Criteria of Integrated Treatment of Child Diseases”, “Arrangement of In-Patient Medical Aid for Children”, recognised as quality criteria for arrangement of medical aid for children, was elaborated and distributed to medical institutions of Yerevan and Marzes of the Republic of Armenia for practical application by them.

336. For prevention of avian influenza’s (bird flu) incursion and spread in the Republic, as well as for avoiding further epidemic problems, preventive and anti-epidemiological measures have been and continue to be undertaken in Armenia.

337. Another public health priority issue is malaria. Thanks to continued complex measures against the disease, numerous cases of malaria recorded in the country in 1994-2005 have been localised and eliminated (highest number of infections (1156) were recorded in 1998), and no local cases of malaria have been recorded in the territory of the Republic since 2006.

338. Statistics are provided in annex VI.

### **Article 13**

339. Article 39 of the Constitution of the Republic of Armenia lays down the right of everyone to education. In the Republic of Armenia fundamental general education shall be compulsory, except for cases prescribed by the law. The law may establish higher levels of compulsory education.

340. Secondary education at public educational institutions shall be free. There is also an option for free education on competitive basis at technical and vocational secondary education institutions, as well as at higher educational institutions.

341. For the purpose of implementing the provisions prescribed by the Constitution in the education field, the Law of the Republic of Armenia “On Education” was adopted in 1999, according to which the Republic of Armenia assures the right to education for all - irrespective of their nationality, race, gender, language, religion, political or other beliefs. Limitations of the right to vocational education are provided for by the law. The said Law also stipulates the equality of women and men. In 2001, the State Programme on Development of Education for 2001-2005 was adopted, the goal of which is to assure progressive development of education system as a factor for strengthening the statehood and social-economic progress of the society.

342. The laws of the Republic of Armenia “On Higher and Post-Graduate Vocational Education” and “On Technical and Vocational Secondary Education” were adopted in 2004 and 2005, respectively, with a view of regulating the field of vocational education.

343. Moreover, the laws of the Republic of Armenia “On Elementary Education” and “On Public Education” were adopted by the National Assembly of the Republic of Armenia in 2005 and 2009, respectively.

344. Currently, the educational field development policy in Armenia attempts to conform with the United Nations Economic Commission for Europe (UNECE) Strategy for Education for Sustainable Development, and aims to tailor the results of the reforms so as to have significant influence on the economic growth, poverty reduction, easing of

inequality, maintenance of ecological security and human development processes both in short-term and long-term perspectives.

345. The education sector is prioritised in other state strategy programmes as well. Particularly, one of the priorities of the 2004-2006 Poverty Reduction Strategy Paper approved by the Government of the Republic of Armenia in 2003 is to ensure quality of the education and its equal accessibility at all levels, which is considered as one of the most important factors for economic growth, poverty and inequality alleviation in the medium and long run. The education sector is also prioritised in the Second Poverty Reduction Strategy Paper, which is called “Sustainable Development Programme”. It was approved on 30 October 2008, upon the Decision of the Government of the Republic of Armenia No. 1207-N.

346. Initial vocational (technical) education is provided in the initial vocational education institutions, i.e. technical colleges, penitentiary institutions, as well as secondary vocational education institutions, i.e. colleges and educational complexes. The objective of this education is to prepare specialists requiring initial vocational qualification on the basis of basic or general secondary (complete) education. The initial vocational education is free in the state education institutions, since the students, in addition to achievement of profession, obtain also a certificate for general secondary education, which is important for continuity of education. The Government of the Republic of Armenia approves the number of state-funded places in initial vocational education sector for each year, based on the demand for each type of occupation. Fee-paying education is provided as well, where students seeking training in medical occupations are mainly enrolled.

347. The secondary vocational education is also provided on the basis of general basic and general secondary (complete) education in state secondary vocational education institutions, as well as higher educational institutions through special educational programmes. Private secondary vocational education institutions are functioning as well, where the education is mainly fee-paying. The Government of the Republic of Armenia approves the number of state-funded places in secondary vocational education sector for each year, and under the Constitution, nationals of the Republic of Armenia may, on a competitive basis, acquire a right to free education. Education institutions provide also fee-paying education.

348. The right of nationals of the Republic of Armenia to free higher education in Armenia on a competitive basis is also enshrined in the Constitution of the Republic of Armenia. Currently the enrolment level in the higher education system in Armenia makes 28% of the age group concerned. In the forthcoming years a number of activities are planned to be implemented to enhance the enrolment of all groups of the population in the higher education system. These activities include:

- (a) Increasing the number of state scholarships by 5% per annum;
- (b) Expanding the target admission of students from Marzes;
- (c) Enhancing distance learning opportunities for a greater number of professions.
- (d) Providing for facilitated transit from secondary vocational to higher education.
- (e) Developing and introducing a student loan system.

349. The admission in the postgraduate education system is also carried out on a competitive basis, based on the academic performance in the previous level of education.

Table 5  
**The number of students enrolled in free and fee-paying system of state and private vocational education institutions in the 2007-2008 academic years**

#### Initial (technical) education

<i>State Institutions</i>	<i>Number of Students</i>	<i>of which</i>	<i>%</i>	<i>Tuition fee amount (thousand AMD)</i>	<i>Scholarship amount (thousand AMD)</i>
28		Free			
		4130	97.3	0	3-4
	4244	Fee-paying	2.7	50-200	0

#### Secondary vocational education

<i>State Institutions</i>	<i>Number of Students</i>	<i>of which</i>	<i>%</i>	<i>Tuition fee amount (thousand AMD)</i>	<i>Scholarship amount (thousand AMD)</i>
82		Free			
		7508	26	0	3-4
	28898	Fee-paying	74	50-200	0

#### Higher Education

<i>State Higher educational Institutions</i>	<i>Number of Students</i>	<i>of which</i>	<i>%</i>	<i>Tuition fee amount (thousand AMD)</i>	<i>Scholarship amount (thousand AMD)</i>
23		Free			
		19986	23.1	0	5-6
		Fee-paying		100-800	
	86693	66707	76.9		0
Private Higher educational Institutions		Free			
62		0	0	0	0
	25551	Fee-paying	100	150-401	0

#### Postgraduate (Master's and Doctorate Studies) Education

<i>State Higher educational Institutions</i>	<i>Number of Students</i>	<i>of which</i>	<i>%</i>	<i>Tuition fee amount (thousand AMD)</i>	<i>Scholarship amount (thousand AMD)</i>
Master's Programme		Free			
		376	15.7%	0	5-6
		Fee-paying		100-800	
	2392	2016	84.3%		0
Doctorate Studies	371	Free	83.3%	0	5-6

<i>State Higher educational Institutions</i>	<i>Number of Students</i>	<i>of which</i>	<i>%</i>	<i>Tuition fee amount (thousand AMD)</i>	<i>Scholarship amount (thousand AMD)</i>
		309			
		Fee-paying	16.7%	100-800	0

350. In Armenia there is no problem with primary education, and the enrolment rate in primary school is considerably high. This is supported with the fact that the literacy rate in Armenia is high at 99.5%.

351. The gross enrolment in the general secondary education is also quite high and makes about 90%, although there are differences by the secondary education levels.

352. For example, while recent years displayed apparent dynamics in urban communities (in urban communities it made 91% in 2001, and 99.9% in 2006), in rural communities it fluctuates from 90 to 99%, which is mainly conditioned with the specifics of rural communities (it made 96% in 2006).

353. By the academic year of 2007-2008, the gross enrolment in primary school /1-4 grades/ made 93.2%, in basic school /5-9 grades/ - 92.6%, and this ensures the achievement of the minimum compulsory education level.

354. Both gross and net high school enrolment indicators, compared with those of basic school, have shown decline in recent years.

355. For example, while it made about 80% for 2005-2006 academic year, for 2007-2008 academic year it made 70%. However, the high school enrolment indicators distort the picture due to uncertainty of upper and lower age thresholds, as well as due to continuation of education by the basic school graduates in initial and secondary vocational education institutions. The problem is that the national statistics records the gross enrolment in the general education system, rather than doing it by age groups, which impedes the recording of the indicator of net age enrolment.

Table 6

**Number of graduates of State general education institutions in 2007***Basic General Education*

Those who have been awarded with completion certificates, of which	With honour	Those who have not completed the basic school, of which	Have been admitted to other education institutions	Remained at the 8th grade	Have not completed their education	Dismissed from school
50126 (97.4%)	6177 (12.3%)	4859	3402	382	859	216

## Secondary (complete) general education

Those who have been awarded with completion certificates, of which	With honour	Attendees of the complete course during the previous academic years	Attendees of the complete course, who have not received a certificate	Those who have not completed their education and have been dismissed from school	Dismissed from school

*Basic General Education*

47548 (95.7%)	1993 (4.1%)	8764	673	125	37
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356. In 2007 the graduates of initial vocational education institutions made 74.6% of the graduate students of the year. It is difficult to provide the number of graduates of secondary vocational education institutions, since the duration of education in these institutions is from one and half year up to four-five years. However, the number of graduates of the secondary vocational education system is also high.

357. The percentage of the 2007 graduates of the higher education system, particularly bachelor's graduates, was also high - 98%. 18.5% of graduates of 2007 were admitted to Master's programme.

Table 7

**The number of reinstated, and failed students of higher educational institutions in 2007-2008 academic year (bachelor and master)***State Higher educational Institutions*

Total number of students	Reinstated	Those who have not completed their education due to physical disability and financial need, or due to lack of academic performance
86693	2467 persons, of which	4290 persons, of which
	2368 persons in the fee-paying system	3890 persons in the fee-paying system
Private higher educational institutions		
Total number of students	Reinstated	Those who have not completed their education due to physical disability and financial need, or due to lack of academic performance, or due to conscription
25551	774 persons	1080 persons, of which
		361 persons were conscripted

Table 8

**Number of graduates of the state higher educational institutions in 2007 (compared with the entrants of 2003)**

<i>Number of students admitted in 2003-2004 academic year</i>	<i>Number of reinstated students in the 1st – 4th courses in 2003-2006</i>	<i>Dismissed students in 2003-2006</i>	<i>Number of students in the 1st – 4th courses in 2006-2007 academic year</i>	<i>Number of graduates after 4 years in 2007</i>
14768	1896	3535	13129	12910 or 98%

358. The ratio of Master and PhD graduates is also high. Particularly, in 2007, 1743 students graduated from 1929 admitted to Master's programme in 2005 (the duration of study is two years), and 343 students graduated from 488 admitted to doctoral studies in 2004 (duration of study is three years). Consequently, the percentage of graduates amounts to 90% and 70% respectively.

359. The priority of education reforms being implemented in the recent decade is to increase the quality of education by ensuring the efficient functioning of the system, and to ensure equal opportunities for citizens to obtain education relevant to their aspirations and competences.

360. The policy in the preschool education sector in the recent decade is aimed at enhancing preschool education, improving school readiness of children, increasing state assistance to the sector concerned, developing preschool education criteria, enlarging co-operation with different international organisations.

361. For the purpose of sector development, pursuant to the Law of the Republic of Armenia “On Local Self-Governance”, preschool establishments were transferred to the jurisdiction of communities. To ensure the accessibility of preschool education, as well as to prepare children for the school, short classes were arranged in all Marzes of the Republic for children of six years old not enrolled in the preschool establishments during 1997-2004. In 2005, the Law of the Republic of Armenia “On Preschool Education” was adopted, as well as the “Early Childhood Development and Preschool Education Reforms Strategy and its Pilot Project” was elaborated. “State Criteria for Preschool Education” for children of five-six years old were approved, based on which a complex preschool education programme was developed. The salary of the teaching staff in the preschool establishments was increased (the days of the annual leave were extended (48 days)). There is an increase in the number of private organisations providing preschool education.

362. The reforms in the general education sector in the last decade were implemented in two stages:

(a) Radical structural reforms and establishment of grounds for conceptual reforms (1998-2002);

(b) Conceptual reforms and continuation of structural reforms (ongoing since 2003).

363. Structural reforms in general education were aimed at decentralisation of general education management and autonomy of education institutions, as a result of which all schools in the Republic were restructured into state non-commercial organisations, and a new management system through the school council was introduced; principals, and members of the councils underwent training.

364. The school funding scheme was reviewed, which shifted to lump sum financing based on the number of students. It strengthens the independence of the financial and economic activities of schools. Student councils were established in schools for the purpose of enhancing student autonomy.

365. In the first stage of reforms, curricula were reviewed, textbooks were published, and the students were fully provided with textbooks; “Textbook Revolving Fund” was established. Due to the implemented measures, the issue of providing each student with textbooks has mainly been resolved; the Textbook Revolving Fund introduced a continuous mechanism of publishing textbooks, textbook acquisition expenses were reduced, and 10% of students – children of socially vulnerable families and students of primary school - receive textbooks free of charge.

366. The reforms of the second stage in the general education sector are implemented in four directions:

(a) Development of general education curriculum framework, subject syllabi, and a new grading system for the general education;

(b) Introduction of information communication technologies;

(c) Professional development of teachers;

(d) Improvement of administration of the general education system, and increasing its effectiveness.

367. Within the framework of the reforms, in 2004 the general education national curriculum framework, a new criterion for secondary education and a full complex of syllabi were approved, which provided for transition into 12-year secondary education. For the purpose of introducing a new system of education quality assessment and control, the “Concept for Evaluation of Students” was developed.

368. In 2004, the Assessment and Testing Centre was established. For the purpose of increasing the accessibility of admission to higher educational institutions, a system of unified school final and entrance examinations to higher educational institutions was introduced in 2007. For the purpose of increasing the effectiveness of the high school, improving education quality, and enhancing enrolment, “Strategy Paper for Introduction of High School System” was approved in 2008. A pilot project for introduction of a separately operating high school system has commenced since 2008.

369. For the purpose of integrating information communication technologies into the general education sector, a “National Centre for Education Technologies” was established, the activities of which include introducing information and communication technologies (ICT) in general education schools, and ensuring its continuity.

370. The salary of pedagogues has been increased annually since 2004. In 2008 it increased by 21% and amounted to AMD 90.6 thousand.

371. To meet the demand for pedagogues in Marzes and the border villages of the Republic, the Government of Armenia is implementing the programme of target admission to pedagogical higher educational institutions since 2004, and since 2003 pedagogues with relevant qualification are seconded to villages according to the requests filed by Marzes.

372. During the recent years numerous activities were implemented in the sector of school construction as well. Particularly, with the support of the Social Investment Fund (established with the World Bank financing) and financing of the Lincy Foundation, many schools were constructed and renovated. Activities were carried out to install local heating systems in schools, which enable the classes in winter time to continue without forced holidays.

373. Out-of-school education is also of great importance in the context of transformation of the content of education and extracurricular and out-of-school activities. The objective of out-of-school education is to create conditions - through arrangement of leisure time of the students - for the development of their interests, ensure their spiritual, aesthetic, physical development, and gaining of environmental and applied knowledge. After the independence of Armenia, lack of funding for extracurricular and out-of-school activities, the operation of institutions providing additional education mainly on paid basis resulted in sharp decline of accessibility of out-of-school education and reduction in the services rendered. However, upbringing programme, concepts of education and military and patriotic activities were developed during recent years for the purpose of ensuring the development of the upbringing function of education institutions and of education system in general. Activities are carried out to ensure both the general education and vocational cultural education.

374. Particularly, general music school after Tchaikovsky operates in Yerevan, where an advanced music education is conducted in parallel with the general education; there is also one special school for children with special education needs. There are about nine cultural colleges in vocational education sector, where the education is provided on the basis of basic and secondary education. There are also cultural higher educational institutions.

375. Reforms implemented in the initial vocational (technical) and secondary vocational education sector were aimed at preparing qualified specialists and increasing their competitiveness on the labour market, bringing the curricula in line with the demands of social and economic development of the country, as well as ensuring access and equality. A significant step of reforms was the adoption of the Law of the Republic of Armenia “On initial vocational (technical) and secondary vocational education” (hereinafter referred to as the Law) by the National Assembly in 2005. The said Law regulates the principles of state policy of the Republic of Armenia in the initial vocational (technical) and secondary vocational education system, its legal-organisational and financial-economic framework, as well as rights and obligations of legal and natural persons. The Concept “Social partnership in the initial vocational (technical) and secondary education sector” was approved by the Protocol Decision of the Government of the Republic of Armenia No. 19 of 7 May 2009. Pursuant to the main provisions of the “National Security Strategy of the Republic of Armenia” and the “Poverty Reduction Strategy Paper”, the Concept for the Development of Initial Vocational (Technical) and Secondary Vocational Education of the Republic of Armenia and 2009-2011 Action Plan and schedule of reforms of vocational education in Armenia were elaborated and approved by the Protocol Decision of the Government of the Republic of Armenia No. 51 of 18 December 2008.

376. One of the key issues in higher education sector was the improvement of the legal framework, which would ensure the course of further reforms. The Law of the Republic of Armenia “On Higher and Post-Graduate Education” was adopted in 2004. Armenia officially joined the Bologna Process in 2005, as a result of which two-cycle degree system was introduced (bachelor - master); a switch to the credit system was implemented. A number of measures were also implemented which are called to ensure the quality and accessibility of higher education. Particularly, “Quality Assurance Foundation” was established for quality assurance. For the purpose of ensuring the accessibility of higher vocational education and to mitigate inequality of enrolment of different social groups at this education level, special attention was paid in recent years to competitive education and to the concept of transfer of students according to their academic performance. From 2006-2007 rotation principle was adhered to in state higher educational institutions.

377. At the same time, in 2007 the system of unified school final and entrance examinations to higher educational institutions was integrated to enhance the opportunities for all groups of society to be enrolled in higher educational institutions and to make the entrance competition more transparent.

378. Before referring to the reforms in all education levels implemented in 1998-2007, it should be mentioned that the reduction in public expenditures in the education sector in the transition period had its negative impact on the system. Particularly, it had greater negative affect on the quality of the education. In 1998, the public expenditures in education sector amounted to 2.3% of the GDP and only 10% of the State Budget. For comparison, let us mention that in 1991 the funds allocated to this sector amounted to 7.7% of the GDP. As a result of continued increase of public allocations for this sector under the current education policy, the funding of the sector in 2008 amounted to 3% of the GDP, and almost 13.1% of the stat budget. Due to increase of public expenditures in education sector in accordance with the “Sustainable Development Programme”, the share of consolidated public expenditures for education against the GDP will grow steadily and will reach 4% of the GDP in 2015 and 4.5 in 2021. In nominal terms, this growth will ensure approximately 7-time increase of annual public expenditures per beneficiary compared to 2006.

379. Speaking about the proportion of public allocations for different areas of education, it should be mentioned that the majority of allocations are channelled to the general education, since this sector is considered to be a main priority in the above mentioned strategy papers, particularly, from the perspective of raising quality effectiveness of

rendered services. Thus, it is also prioritised from the aspect of budget allocations, and around 76% of public allocations for the education sector in 2008 were channelled to the general education. For comparison, it can be mentioned that funds allocated for general education in 1998 amounted to about 63.7% of the total education budget. Taking into account the forthcoming reforms in the field of general education, the share of general secondary education in the public expenditures in the education sector will fluctuate around 75% in 2007-2015.

380. Dynamics of public expenditures in the general education sector in upcoming years, as envisaged in the “Sustainable Development Programme”, first of all will lend an opportunity to double in 2009 the 2006 per student public expenditure indicator, and will exceed it by around seven times in 2011. On the other hand, the ratio of annual per student expenditures to per capita GDP will also grow and in 2011 will amount to approximately 20% of the latter.

381. State funding in the area of vocational education in 2007 amounted to 9.3% of the education budget or 0.29% of the GDP. The share of expenditures allocated for vocational education programmes in the education sector public expenditures should amount to 16% or to 0.72% of the GDP in 2021.

382. According to the General Education National Curriculum Framework, since 2006-2007 academic year secondary education in Armenia is carried out in 12-year three-level general education secondary school with the following sequential levels: (a) primary school – 4 years (1-4 grades); (b) middle school – 5 years (5-9 grades); (c) high school – 3 years (10-12 grades). In 2007, 1417 state secondary schools operated in the Republic, out of which nine are primary schools, 154 are basic schools (1-9 grades), and 1169 are secondary schools (1-12 grades).

383. There are also 31 gymnasiums and 14 technical schools. In 2008 the system of high school was introduced, and their number reached to 10. In 2009 there are already 40 high schools in the Republic. There are 35 private schools with the enrolment of 6541 students. Private education institutions do not receive state financing.

384. Construction and furnishing activities are being carried out in this sector with the assistance of local and international non-governmental organisations, which definitely contributes to the enhancement of enrolment of children in the preschool system. Within the framework of the “Community Self-Help Fund” Project, “Save the Children” international organisation, through a grant programme, has implemented fundamental renovation of about 52 kindergartens in urban and rural communities of Marzes of the Republic of Armenia. Through the Armenian Relief and Development Association (ARDA) benevolent organisation, significant financial investments were made in preschool establishments in Yerevan and in urban and rural communities of Marzes of the Republic of Armenia.

385. More comprehensive information on the enrolment in the education and science sectors by gender is provided in Article 10 of the National Report of the Republic of Armenia on Implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

386. The accessibility in different levels of education should be considered in regard with socially vulnerable and special groups.

387. The rights of special groups in the education sector are established by legislative acts, according to which social groups recognised by the state nowadays enjoy different privileges.

388. These privileges are more important especially in the area of vocational education, since here the Constitution grants the citizens the right to free education only on a competitive basis.

389. Since there is no discrimination in education sector on the basis of sex, national origin, religion, and since everyone, as enshrined in the Constitution and other laws, has equal rights and obligations in all educational levels, only those groups with regard to which there are both statistical and research information can be considered in terms of accessibility and enrolment.

390. The enrolment in general education should be considered according to enrolment indicators in primary, middle, and high schools. Moreover, this enrolment should be considered both by age groups and gender, and by place of residence (urban and rural) and social status (poor, extreme poor and non poor).

391. In high school the indicators are displaying significant differences by poverty groups, showing lower enrolment of the poor. According to the data provided in the “Sustainable Development Programme”, for example, while in 2004/2005 academic year only for 2.8% of the non-poor 18-19 year old the basic education is the highest education received, for the poor this indicator amounts to 16%. More disturbing is the situation among the extreme poor population which amounts to 35%. To increase the enrolment in high school, particularly for the poor, a system of high schools operating separately was introduced in about 40 schools in the Republic since 2008.

392. Improvement of education of children with special education needs is also stressed in the general education sector. In recent years the reforms in this area have been targeted at improvement of quality of education and care provided to children in special general education institutions from the one hand, and formation of alternative services, which will enable to gradually “unload” special schools, on the other hand. For the purpose of evaluating and guiding children with special education needs, arranging the training of children with physical or mental disabilities in general education schools, contributing to their full integration into society, “Inclusive Education” has been conducted in the special education sector since 2002 with the assistance of international organisations and “Huysi Kamurj” non-governmental organisation. The “Yerevan Medical Psychological Pedagogical Assessment Centre” was established in 2007 with a view to discovering such children and guiding them to general education schools. Currently, “Inclusive Education” is provided in 31 general education schools, where about 700 children with special education needs are enrolled. It is worth to be mentioned that children of socially vulnerable families are also enrolled in general education special boarding institutions.

393. The current policy focuses on the enrolment of children of socially vulnerable families also in general education institutions, and ensuring the meeting of their social needs (food, living, self-study, etc) in a tailor-made centre.

394. According to the “Sustainable Development Programme”, gross enrolment of population in vocational programmes in the initial and secondary vocational education sector amounts to 38.4%. The indicators of population enrolment in this level of vocational education inter alia are quite homogeneous in terms of poverty groups – extreme poor, poor, and non poor.

395. The socially vulnerable groups – about 5 vulnerable groups – enjoy the same privileges, particularly in the secondary vocational education sector.

396. The state assistance currently rendered to higher education sector within the framework of the social policy is limited to full reimbursement of state scholarships granted to some groups of students by their social status. The students having such status are not

subject to rotation and retain the right to free education until graduation. These groups are as follows:

- (a) Orphans having lost both parents;
- (b) Persons with the 1st or 2nd group of disability;
- (c) Children of the killed or deceased military servant;
- (d) Persons having acquired disability while performing mandatory military service;
- (e) A person seconded for target education.

397. Such policy completely ensures enrolment in the higher education system of students having such social status. This is due to the fact that the State does not limit the number of state-funded places, and all applicants passing the threshold of entrance examinations according to relevant procedures, acquire a right to free education. The State endeavours to ensure - in a due manner - also the process of providing tuition waivers in state higher educational institutions for other socially vulnerable groups in the fee-paying system. According to the Decision of the Government of the Republic of Armenia No. 1183 of 27 July 2006, the number of students being provided with partial tuition waivers by state higher educational institutions must comprise 10% of the students enrolled in the fee-paying system in the higher educational institution. Tuition waivers granted by higher educational institutions generally amount to 30-50%. The following students are entitled to tuition waivers:

- (a) Socially vulnerable students;
- (b) Students having lost one parent (with single parent);
- (c) Students of families with three or more minors or with more than three students;
- (d) Students from families with two or more children enrolled in the fee-paying education system;
- (e) Students having parents with the 1st or 2nd group of disability;
- (f) Students that are children of teachers of general education schools of remote mountainous and border villages;
- (g) Students with a child under one year of age;
- (h) Students with high academic performance not included in the student benefit system, at the discretion of the higher educational institution;
- (i) Other students at the discretion of the higher educational institution.

398. Although tuition waivers granted by higher educational institutions to such students partially resolve the social situation of vulnerable groups, this is not sufficient, as a result of which the majority of students withdrawn from the higher education system are students enrolled in the fee-paying system. Unfortunately, due to scarcity of state allocations to the vocational education sector, there are no prescribed privileges for groups declared by the state - according to their income - as poor, extreme poor, or non poor. The reason is the current share of state allocations, as well as the allocation mechanisms, which are still insufficient to mitigate the quite polarised picture of enrolment of all groups of society, particularly those with low income; i.e. poor, in the higher education sector. It is conditioned by both high tuition fees determined by higher educational institutions for professions in higher education, as well as lack of initial equal conditions for admission into the higher education system. It refers to supplementary private tutoring in high schools

on specific subjects for admission to higher educational institutions, which requires extra financial means.

399. According to the “Sustainable Development Programme”, the number of poor or extremely poor families in the Republic amounted to 23.7% in 2008, the enrolment of whose children in the higher education system is a matter of concern. Here the enrolment indicator of the poor is 5.4-time less than the indicator of non poor, and the enrolment indicator of the extreme poor is 8-time less than the indicator of non poor. Moreover, the enrolment of the poor and extreme poor population in the higher vocational education system has also territorial disproportion in favour of the capital. This indicator among the poor in Marzes is 2.1-time less, and in rural communities is 4.3-time less.

400. Nevertheless, the reforms currently being implemented in the higher education sector are aimed at both integrating into the European Higher Education Area, and increasing the enrolment of all groups of society, particularly of socially vulnerable groups.

401. Since Armenia’s state language is Armenian, the education in educational institutions is provided in Armenian. However, it does not impede the education of other nationalities in their native languages, within and out of school. Particularly, there are Russian language schools for Russian and Slavonic population, where the education is provided in Russian, although Armenian language and literature, as well as Armenian history are taught in Armenian in these schools. The Yezidis and Assyrians residing in Armenia have, with the support of state institutions, established educational and methodical base in the general education system. Within the framework of educational reforms, extensive activities were also carried out to meet the educational needs of the national minorities of Armenia in their native languages. See ANNEX VII for the list of native language schools for the national minorities in general education schools on the territory of the Republic.

402. Criteria for staffing of classes in general education schools of Armenia are unified, regardless of the taught language. Pursuant to the Decision of the Government of the Republic of Armenia No. 1392-N of 25 July 2002 and pursuant to secondary education criteria, the average capacity of classes of the institution is set at 25-30 students for primary and middle schools, and 20-25 students for high school. However, in special cases (schools in mountainous, high mountainous, border rural settlements, as well as urban and rural schools with classes in languages of minorities, etc.), a class with less capacity may be opened by the authorisation of the Ministry, following an agreement obtained from the Ministry of Finance of the Republic of Armenia, or on account of additional financing sources of the institution, upon the consent of the council.

403. For the purpose of enrolment of children of the national minorities in preschool education establishments of the Republic, other staffing standards have been established upon the Order No. 29-N of the Minister of Education and Science of the Republic of Armenia of 26 January 2007 on Approving the Model Staff List, Group Capacity, and Normatives of the State and Community Preschool Establishments of the Republic of Armenia. It provides for the capacity of 8-10 children, while for all other groups it amounts to 25-30 children.

404. Preschool establishments operate in different Marzes of Armenia: one kindergarten operates in the Assyrian Community of Ararat Marz, where activities are carried out to open a group where Assyrian is taught. There is one Russian kindergarten in the town of Artashat, and one in the town of Gyumri, both of them operating for Russian children of the military garrison of the relevant Marz. Some of the principals of kindergartens are of Russian, Yezidi, and Assyrian origin.

405. The Ministry of Education and Science of the Republic of Armenia approves curricula of general education school of the national minorities for each year, where class

hours are provided for study of native language, literature, and history of culture of the national minorities.

406. The Ministry of Education and Science of the Republic of Armenia has developed a programme and a schedule for developing the education of the national minorities, according to which each year textbooks are published for studying the language, literature, and culture of the national minorities of the Republic of Armenia.

407. Particularly, based on the initial application submitted in 2008 by the communities of the national minorities settled in Armenia, funds were allocated in the State Budget of 2009 also for publication of textbooks. It totally amounts to AMD seven million, which is 0.7% of the 2009 State Budget. Thanks to the allocations, 300 units of textbooks and textbook-copybooks for the 1st grade were published in Assyrian, 700 units of textbooks of Yezidi language for the 6th grade, and 300 units of ABC books in Kurdish.

408. The implemented measures include:

(a) The “Model curriculum of the general education school of the national minorities” was drawn up and introduced in 2008, according to which 42 hours per week are allocated for study of the native language and literature of the national minorities in 1-11 grades;

(b) 30-hours trainings were conducted for Yezidi teachers (7-11 January 2008 - 9 trainees; 24-28 March 2008 - 7 trainees);

(c) The Concept and Curriculum of teaching Kurdish language and literature for 1-10 grades was approved, which meets the programme demands of the 12-year education;

(d) The specialists of the National Institute of Education had their significant contribution in the development of the criterion and curriculum of the Assyrian language and literature for 1-12 grades;

(e) Commissions on subjects of “Iranology” and “Semitology” of the Ministry of Education and Science operate within the National Institute of Education, which carry out expertise of curricula, textbooks, and manuals in Yezidi and Assyrian languages;

(f) Various languages are taught in higher educational institutions of the Republic of Armenia (including Yerevan State University, State Pedagogical Institute of Armenia, Yerevan State Linguistic University after V. Brussov), including English, French, German, Spanish, Portuguese, Bulgarian, Romanian, Greek, Polish, Chinese, Japanese, Turkish, Persian, Russian, Ukrainian, Arabic, Hebrew, Assyrian, and Kurdish.

409. Necessary information and statistics on professors in different areas of education in Armenia is presented in Article 10 of the National Report of the Republic of Armenia on Implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

410. The activities of private education institutions are regulated by the legislation of the Republic of Armenia. There are private education institutions operating in the system of preschool, general, secondary, as well as higher education.

411. As of 2007, 20 private educational institutions operated in the preschool education system, with the enrolment of 951 children. 35 education establishments of different type operated in the general education sector, including primary, basic, general education secondary, technical, special educational establishments, as well as colleges. The number of students amounted to 2358. There were 24 private secondary vocational education institutions which had 2251 students. 12 institutions from 24 were located in the capital, while the others in Marzes. There were 62 private institutions in the higher education

system, which had 25551 students. 48 institutions from private education institutions were located in the capital, while the others in Marzes.

412. During 1998-2008 the international community has had significant role in the education sector reforms. This co-operation covered all areas of education and its impact has been very effective.

413. In recent years there has been active co-operation in the preschool education sector between the United Nations Children's Fund (UNICEF), "Save the Children", "World Vision", "ARDA", "JRD", "Red Cross" Armenian Office, "UMCOR" international organisations, as well as different foundations and non-governmental organisations. As a result, "Preschool Education, Care and Development", "Education of Parents", "Step by Step", and "Children Inclusive Education Development" programmes were implemented. The objective of "Education of parents" programme is to give parents and guardians of children contemporary knowledge on early child development, enhance - through alternative services - the enrolment framework of parents and children in preschool education. The programme is especially focused on the assistance to parents of children not attending kindergartens in order they correctly arrange the education in families. Employees of the preschool system, parents and community members were trained, methodological manuals were developed within the framework of the above-mentioned programmes with the support of the United Nations Children's Fund, World Vision Armenian offices and "Step by Step" Benevolent Fund. 13 resource centres for parent education were established in different Marzes of the Republic of Armenia, and 11 centres were established for training of pedagogical staff in all Marzes of the Republic of Armenia.

414. Within the framework of co-operation with "World Vision" international organisation, inclusive education for preschool children was introduced/integration of children with special education needs/.

415. With the support of "Save the Children" and "ARDA" international organisations investments were made in kindergartens of rural and urban communities.

416. The two loan projects financed by the World Bank since 1998 made it possible to implement the reforms in the general education sector. (For more details see paragraphs 218-222). It should be mentioned that the integration of civil education in the general education sector was largely contributed by the "Junior Achievement" non-governmental organisation actively operating in our country since the independence of Armenia. Particularly, thanks to this co-operation, "Law" subject was introduced in 9-11 grades in the general education system from 2001-2002 academic year, which includes subjects of Human Rights, Civil Education, and the State and the Law. With the support of this organisation, 3000 teachers from all Marzes were trained within the framework of "Law" subject in 52 school-centres of the Republic. With the support of the organisation, each year summer camps are also organised, the objective of which is to contribute to the development and enhancement of civil education among students.

417. "Life skills" subject was introduced for 1-7 grades with the support of the United Nations Children's Fund; "Healthy lifestyle" course was integrated in the compulsory education curriculum for 8-9 grades, which is called to ensure sexual education of students and contribute to their awareness raising. With the support of the Fund "Students' Self-Governance Development" Project is being implemented in general education schools, and with the support of "Armenian Caritas" Benevolent Organisation "Prevention of Illegal Migration and Trafficking" Project is being implemented.

418. The reforms in the area of initial vocational (technical) and secondary vocational education were largely supported by international organisations.

419. Particularly, in 2006 “Education for Armenia’s Prosperity” Project of the United Nations Development Programme was commenced (with the support of the Government of Norway), the main objective of which is to support the reforms in the area of initial and secondary vocational education. In 2009 the support project by the Government of Denmark was commenced, the main components of which are provision of facilities, development of vocational educational criteria, training, and provision of international expertise in different domains. Since 2007 the British Council Office in Armenia implements “Work and Skills” Project, the objective of which is to approximate - through establishing links with the United Kingdom – the education in countries of South East Europe to the demands of labour market and business environment, thus contributing to the increase of productivity and to free movement of workforce in the labour market.

420. Within the framework of the Action Plan 2007, Sector Support Programme for Support to Poverty Reduction Strategy through Reforms in Initial Vocational (Technical) and Secondary Vocational Education and Training (VET) signed between the Government of the Republic of Armenia and the European Commission, 12 vocational education institutions were selected on a competitive basis, which (after logistics support and renovation) should become multi-functional education institutions.

421. Higher educational institutions of Armenia have gained a rich experience in recent years in the higher education sector within the framework of international co-operation.

422. Until now higher educational institutions and students actively participate in the European Union TEMPUS, Erasmus Mundus External Co-operation Window and other programmes, which are aimed at supporting the current reforms in the area of higher education system.

423. Statistical data are presented in annex VII.

## **Article 14**

424. Primary education in the Republic of Armenia is free of charge /see Article 13/.

## **Article 15**

425. Pursuant to Article 40 of the Constitution of the Republic of Armenia, “Everyone shall have the right to freedom of literary, artistic, scientific and technical creation, to make use of the scientific progress, and to take part in the cultural life of the society”.

426. The Law of the Republic of Armenia “On Fundamentals of the Cultural Legislation” provides for “the principles of state culture policy, legal grounds for state assistance to culture sector” and establishes “legal guarantees for conservation, diffusion, and development of cultural wealth”.

427. For the purpose of fulfilling the commitments under laws, financial allocations for the culture sector for each year are approved by the three-year Medium-Term Expenditure Framework and the Law of the Republic of Armenia “On State Budget”.

428. The State Budget financing is aimed at the support of both state and community organisations, and non-governmental organisations. The latter are provided with an opportunity to take part in the development of cultural policy as well.

429. The culture sector is supported both by sponsors and international structures. However, no law currently in force in the Republic of Armenia provides for any privileges for art patrons.

430. Pursuant to the Law of the Republic of Armenia “On Fundamentals of the Cultural Legislation”, “Everyone shall have the right, in a manner prescribed by the legislation of the Republic of Armenia, to have access to cultural values, as well as use - in all spheres of cultural activity - library, museum, archive, and other collections of the Republic of Armenia “.

431. The state cultural policy is implemented by state and community non-commercial organisations.

432. Recent years have witnessed also a tendency of enhancing co-operation with non-governmental organisations. In 2008 the Ministry of Culture of the Republic of Armenia co-operated with 43 non-governmental organisations.

433. There are about 100 museums in the Republic of Armenia, 70 of which are state-owned. In recent years more than 20 museums have been reconstructed and renovated in accordance with up-to-date standards with the support of the Government, Diaspora organisations and individuals.

434. The following museums occupy central position in the museum system: the History Museum of Armenia, Institute of Ancient Manuscripts “Matenadaran”, State Art Gallery of Armenia with its branches in Yerevan, Edjmiadzin, Yeghegnadzor, Sisian, Alaverdi, Gavar, Martuni, Jermuk, Hrazdan, Jajur, as well as the Museum of Literature and Art after Y. Charents with its branches after D. Demirchyan, P. Proshyan, G. Ghapantsyan, H. Tumanyan, and A. Bakunts. Memorial museums of outstanding cultural figures, as well as geological museums in Marzes have an important place in the museum sector. Thanks to them, and new thematic exhibitions, the life in the museum sector has been significantly activated.

435. “Museum on the Wheels” project commenced in 2006, the aim of which is to ensure the accessibility of various cultural values of museums for the population of mountainous rural areas.

436. The “Exhibition Centre” organisation operates under the Ministry of Culture, which arranges mobile exhibitions of the works of the Armenian painters in the Marzes of the Republic of Armenia.

437. Private art galleries also provide an opportunity to the public to get familiar with the modern art with its different expressions.

438. Since 2005 museums of Armenia have always participated in the traditional annual “Night of Museums”, “European Heritage Days” international actions proclaimed by the UNESCO, where many Armenians and tourists participate.

439. There are 2540 libraries in the Republic of Armenia: 13 libraries within the system of the Ministry of Culture of the Republic of Armenia, 30 Yerevan city libraries, 995 district libraries of the Republic of Armenia, 1400 school libraries, 16 higher educational institutions libraries, and 29 academic libraries. The National Library of Armenia is a permanent book-heritage and information output preserving establishment of the Republic of Armenia, a centre for creation of bibliography and methodological support of library science; it has a complete national and foreign library collection.

440. The Project “Reconstruction and Replenishment of Libraries” commenced in 2008: its first phase includes three republican and ten regional libraries under the Ministry of Culture.

441. Every year a significant increase is observed in regard with the replenishment of libraries both by public programmes and private persons. In the libraries of Marzes activities are carried out for the creation of a bibliographical database initiated by the UNESCO and developed through Win ISIS system. Electronic library service is provided in

13 libraries of the Republic. “Arev” information communication system operates for blind and visually impaired persons, which commenced in Marzes and which enables “reading” letters and figures through computer and acoustic symbols. There is still a problem concerning the poor condition of rural libraries; the insufficient space of library archives in Marzes and communities results in deterioration of the physical condition of the stock.

442. Since 2008 the population has access to mobile libraries, particularly through “Mobile Library” (“Bibliobus”).

443. The publishing subunits in Armenia are as follows:

(a) Publishing Agency of the Ministry of Culture of the Republic of Armenia (develops the sector-specific state policy);

(b) “Book” Foundation (implements the pricing and free distribution of government-sponsored literature);

(c) A number of publishing houses (only private), the annual circulation of which amounts to 1500 books (150 of which with the state assistance);

(d) Entities of bookseller network (all private);

(e) “National Association of Publishers of Armenia” NGO.

444. An international book exhibition-fair is organised within the framework of the annual forum of writers, translators, publishers of CIS and Baltic countries held in Yerevan at the initiative of the Ministry of Culture since 2007.

445. There are 34 theatres in Armenia, 21 of which are state-owned, including 16 theatres operate under the Ministry of Culture of the Republic of Armenia.

446. For the purpose of making the foreign drama schools famous in Armenia, since 2002 in Armenia “Shakespeare” and “High Fest” international festivals of “Armmono” mono-performances are held, which have their strong place in the international domain. (“In 2004 “High Fest” was recognized by the European Theatre Centre as the main theatre festival in the Caucasus region). International Mime Festival was held for the first time in Armenia in 2008.

447. There are around 37 musical organisations in Armenia, including those under the Ministry of Culture of the Republic of Armenia and Marzpetarans (regional governor’s offices) of the Republic of Armenia.

448. The Ministry of Culture of the Republic of Armenia, through subsidies, always contributes to the development of the regular activities of musical organisations, as well as implementation of new creative programmes, annually increasing financial allocations for the sector.

449. The development of the sector was contributed by four international festivals of classical music that commenced in 2006-2007 and are ongoing: “National Gallery”; “Perspectives XXI”; “Yerevan International Music Festival”, “Return”, and Aram Khachaturian international competition.

450. Within the framework of the Programme on construction of buildings of modern art centres, concert halls, theatres, other buildings of cultural significance, the Ministry of Culture performs the construction of cultural objects and provision of equipment, within the framework of which the concert and theatre halls are provided with sound and lighting system, computers, and appliances.

451. There are two state-owned film-making organisations in Armenia - National Cinema Centre of Armenia and “Hayk” documentary film studio, as well as several independent big film-making companies.

452. A number of international film festivals are held in Yerevan since 2001: “Golden Apricot”; “Kin” (“Woman”), “Yes Em” (“I Am”) youth film festivals.

453. There are national traditional art development centres (particularly the “Armenian Souvenir Carpet” creation, handiwork centres, etc) in Armenia, which are involved in the implementation of a number of programmes aimed at promoting folk art.

454. According to Article 41 of the Constitution of the Republic of Armenia, “Everyone shall have the right to preserve his or her national and ethnic identity”.

455. The law provides for human and civil fundamental rights and freedoms in the culture sector, lays down also the right to take part in the cultural life and carry out cultural activities, according to which participation in the cultural life of the society and carrying out cultural activities in the territory of the Republic of Armenia is an indispensable right of each person, regardless of his or her national origin, race, sex, language, religion, belief, social origin, property or other status. Article 15 of the Law also states that foreign nationals and stateless persons on the territory of the Republic of Armenia shall have equal rights and bear equal obligations in the field of cultural activities as the Armenian nationals, except for cases provided for by the law and international treaties.

456. For the purpose of ensuring the above-mentioned rights, the State carries out activities aimed at renovation and provision of partial or full logistical support to cultural houses, clubs, and centres.

457. The Ministry of Culture, within the framework of grant projects, annually increases the volumes of awarded grants.

458. One of the main issues of the cultural policy of Armenia is the support to the modern art and artists, particularly, through state sponsorship, acquisition of works, support to creative programmes. The support to the film art is provided through “State Support to Film Production” programme, within the framework of which assistance is provided to shooting of feature, cartoon, and documentary films, to participation in international film festivals, film markets, and joint film-making.

459. The support to the music art is provided through “Support to and promotion of the music art through creative orders” programme, within the framework of which assistance is provided to the concert programmes, works of the Armenian modern composers are purchased, provision is made for participation of music performers and concert groups in international music festivals and competitions. National festivals and competitions are also held with state support.

460. Development trends in the field of dancing art are directed at implementation of creative programmes of the three state ensembles, support to the activities of ethnographic and folk ensembles through grants, new performances of ethnographic and folk dances, presentation of the national dancing art to the international community, education and training of young teachers of dancing.

461. A number of creative orders are carried out within the framework of “State Support to the Dancing Art” programme, including the National Dance Festival (Gyumri) which was held in 2008.

462. State grant programmes provide an opportunity to ethnographic groups to create new concert programmes and obtain requisites.

463. Within the framework of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the Ministry of Culture implements measures aimed at the protection and development of culture of the national minorities residing on the territory of the Republic of Armenia, their integration into the cultural field of Armenia (child music festival of national minorities, exhibitions of fine art and decorative applied

art, publication of literature, and of periodicals in native languages of the national minorities, etc).

464. Article 8 of the Law of the Republic of Armenia “On Cultural Legislation” proclaims that “the Republic of Armenia shall support the preservation and development of the cultural identity of the national minorities residing on its territory, and shall, through implementation of state programmes, contribute to the creation of conditions for conservation, dissemination, and development of their religion, traditions, language, cultural heritage, and culture.”

465. The issues relating to the conservation of historical, spiritual, cultural values and ethnic identity of the national minorities residing on the territory of the Republic of Armenia are also included in the programmes of the culture sector of the “National Security Strategy”.

466. Since 2000, the State Budget of the Republic of Armenia allocates AMD 10 million per year in grants to address cultural and educational issues of the national minorities. It is realised through non-governmental organisations of the national minorities.

467. The following national minorities are residing on the territory of the Republic of Armenia: Assyrians, Yezidi, Greeks, Russians, Kurds, as well as Jews, Ukrainians, Belorussians, Polish, Germans, and Georgians. All together there are 11 communities. The minorities residing in Armenia are united in non-governmental organisations<sup>18</sup>.

468. There are creative-artistic groups<sup>19</sup> of national minorities in Armenia, TV programmes are broadcast for some communities, there are Sunday schools with advanced learning, radio programmes are transmitted on special hours in languages of four of the national minorities (Russian, Assyrian, Yezidi, and Kurdish), which are also broadcast in the countries of Middle East.

469. With the purpose of supporting the cultural-educational activity of the national minorities, the Government of the Republic of Armenia allocates funds in the State Budget, which are equally distributed among all communities. The premises provided for the cultural centre of the national minorities by the Government pursues the same goal.

470. The Ministry of Culture of the Republic of Armenia provides state assistance to the publication of literature and periodicals in native languages of the national minorities. In 2008-2009, four journals and ten newspapers (nine of them with the state support) are published in Armenia in national minority languages. In 2009 one more- “Iberia” newspaper of the Georgian Community newspaper will be published.

471. Within the framework of the “State Support to Private Press” budgetary programme, a number of periodicals are produced by and for national minorities.<sup>20</sup> Within the

<sup>18</sup> Among these organisations are Assyrian “Ashur” youth centre, Greek “Pontos” organisation, Russian “Rosia” organisation, Polish “Polonis” Union, “Jewish Community of Armenia”, Georgian “Iberia” benevolent community, Federation of Ukrainians of Armenia “Ukraine”, etc.

<sup>19</sup> -Russian “Garmosha” troupe, “Orpheus” vocal-chamber and “Solnishko” Dancing Ensembles, “Sudarushka” Folk chorus,  
-Kurdish National Ensemble of Song and Dance of Aragatsotn Marz, Children and Youth Ensemble of Bayses village in Talin,  
-”Pontos” Greek Dancing Ensemble

<sup>20</sup> Periodicals “Yezdikhana” and “Lalish” of “National Union of Yezidis” and of “National Committee of Yezidis”, Russian language “Golos Armenii”, “Novoye Vremya”, “Literaturnaya Armenia”, “Byzantine Heritage” of the Greek community, “Dmitro-Slavutich” of “Ukraine” Federation of Ukrainians of Armenia”, English published “Palitra”, Kurdish “Rya Taza”, Armenian-Kurdish “Mijagetk” and Armenian “Zagros”, “Magen David”/Armenian/ of the Jewish community.

framework of the said programme, AMD 11668.0 thousand was allocated for the publication of the press in languages of the national minorities in 2009, which is 17.5% more than in 2008 (it amounted to AMD 9627.0 thousand in 2008).

472. The size of the state assistance to the published press is determined based on the frequency and circulation of each newspaper.

473. In 2009 “Literary Collection” selected from the works of the authors of all communities of the national minorities of the Republic of Armenia, Armenian translation of “Mem and Zin” of writer Ahmade Khan, and Kurdish stories of Samand Sima will be published with government sponsorship.

474. The library collections of the Republic include literature and periodicals in native languages of the national minorities, which are replenished continuously on account of the State Budget funds. According to 2003 data, many Russian, 450 Greek, 2000 Kurdish and Yezidi books are kept in the National Library of the Republic of Armenia. Each person belonging to the national minorities has a right to equal access to library collections.

475. Within the framework of the sub-project “Support to the Culture of the national minorities”, budgetary allocations are envisaged for the support to the cultural activities of the national minorities of the Republic of Armenia. Particularly, within the framework of the mentioned sub-project, AMD 700.0 thousand was allocated in 2007, AMD 1800.0 thousand- in 2008, and AMD 3000.0 thousand - in 2009.

476. Since 2002, annual music and fine art, as well as decorative-applied art festivals of the national minorities of the Republic of Armenia are held, the objective of which is to reveal and promote the gifted and talented creators, to provide them with an opportunity to be presented to the public with their works created on the basis of their national origin.

477. The Government of the Republic of Armenia pays a special attention to the conservation of the monuments of the Republic which are not of the Armenian origin. Such monuments were created by people residing in Armenia permanently or for a short period of time. Among the famous ones are Russian churches (Yerevan, Vanadzor), Assyrian St. Kirill (Dimitrov village) and Umra (Verin Dvin village) churches, Greek St. Sava church (Shamlukh village), Jewish cemetery (14-17 centuries, Eghegis village), Kurdish cemetery (Rya Taza village). Public authorities of the Republic of Armenia undertake conservation and restoration of these and other monuments. With the support of the Government of the Republic of Armenia Jewish medieval cemetery in Yeghegis was discovered and restored in co-operation with the Archaeology Institute of the National Academy of Sciences of the Republic of Armenia and the Jewish University of Israel. On 11-13 May 2008, a conference on the restoration of the mentioned cemetery was held in Yeghegis with the participation of archaeologist-scientists and Armenologists, as well as stakeholders from Israel.

478. For the purpose of ensuring the recognition of historical and modern monuments of the national minorities, since 2008 the Ministry of Culture has undertaken a new project - production of series of films. A film titled “Our song and our monuments” relating to the monuments of Aragatsotn and Lori Marzes- northern zone of Armenia, is already completed.

479. According to Article 27 of the Constitution of the Republic of Armenia, the State shall guarantee the existence and functioning of an independent public radio and television offering a variety of informational, educational, cultural, and entertainment programmes.

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Kurdish ABC book “Zmane de” was published in 2002.

480. For purposes of acknowledgement of the role of culture by the society, re-conception of the national values and increasing their rating, the Public Relations Unit of the Staff of the Ministry of Culture of the Republic of Armenia arranges extensive mass media coverage on the activities of the Ministry, various issues and events relating to the culture sector. Thus, in 2008 more than 226 mass media coverage were carried out<sup>21</sup>.

481. In 2008 the website of the Ministry - [www.mincult.am](http://www.mincult.am), as well as was “Ararat” cultural TV channel were launched. Websites of intangible cultural heritage - [heritage.mincult.am](http://heritage.mincult.am), and of Armenian duduk music - [www.armenian-duduk-music.com](http://www.armenian-duduk-music.com) were created; currently works are carried out to create the website of forum of writers, translators, and publishers of the CIS and Baltic countries. In 2007 the Ministry of Culture of the Republic of Armenia jointly with the Armenian National Commission of UNESCO completed the bilingual website on the Armenian intangible heritage - [icha.mincult.am](http://icha.mincult.am), which offers various and comprehensive information on the topic.

482. The field of cultural heritage conservation is governed by the Laws of the Republic of Armenia “On Conservation and Utilisation of Immovable Monuments of History and Culture and of the Historic Environment” and “On Immovable Monuments of History and Culture Considered State Ownership of the Republic of Armenia and Not Subject to Alienation”, as well as a number of subordinate acts, including the Procedure for Maintaining the Cadastre of Immovable Monuments of History and Culture recently approved by the Government of the Republic of Armenia.

483. In 2007 Armenia ratified the Convention for the Protection of the Architectural Heritage of Europe, and acceded to the Framework Convention on the Value of Cultural Heritage for Society. Currently draft laws of the Republic of Armenia “On Making Amendments and Supplements to the Law of the Republic of Armenia of 1998 “On Conservation and Utilisation of Immovable Monuments of History and Culture and of the Historic Environment” and “On Archaeology” are in the procedural stages.

484. There are ten governmental and four non-governmental organisations functioning in the field of conservation of immovable heritage of history and culture.

485. The subunits engaged in the conservation of immovable heritage of history and culture of the Republic of Armenia are as follows:

(a) The Agency for Conservation of Monuments of History and Culture under the Ministry of Culture of the Republic of Armenia with its territorial units in Yerevan, Shirak and Aragatsotn, Vayots Dzor and Syunik, Kotayk and Gegharkunik, Lori and Tavush (elaborates the sector-specific state policy);

(b) Research Centre of Historical and Cultural Heritage (carries out research activities, excavations);

(c) Studios for restoration of monuments: “Aragatsotn”, “Zangezur”, “Gugark”, “Shirak”, “Tavush”, “Gegharkunik”; “Vayk” (carry out restoration activities);

(d) IKOMOS/Armenia;

(e) “Armenian Federation for Conservation of Historical Monuments” NGO;

<sup>21</sup> 61 mass media coverage included issues relating to historical and cultural, intangible cultural heritage, museum and library, as well as public awareness of the sector; 20 mass media coverage included artistic education; 74 coverage - arts and cultural processes (music art, theatre art, folk art, etc), cultural projects, festivals; 23 coverage - international co-operation and exchange; 48 coverage - press conferences, interviews, meetings with the representatives of mass media, reports, live transmission.

- (f) "Karedaran" NGO;
- (g) Research on Armenian Architecture NGO (RAA).

486. During 2002-2007 the Government of the Republic of Armenia approved the government list of monuments of history and culture of the city and Marzes of the Republic of Armenia, which includes 24225 monuments, including the list of "state-owned immovable monuments not subject to alienation" with 18935 monuments, all in all with 6145 conservation units.

Table 9

**State-owned immovable monuments not subject to alienation by Marzes of the Republic of Armenia**

<i>Marz</i>	<i>State-owned monuments</i>	<i>Monuments Not Subject to Alienation</i>	<i>Objects Not Subject to Alienation</i>
City of Yerevan	977	512	245
Aragatsotn	1796	1436	700
Ararat	906	808	186
Armavir	420	186	121
Gegharkunik	5270	4610	769
Lori	3045	2460	961
Kotayk	3208	2640	758
Shirak	2349	1051	649
Syunik	2812	2350	777
Vayots	1373	1202	320
Tavush	1996	1680	659
Total			6145
	24152	18935	

487. As a result of co-operation with UNESCO, particularly with the World Heritage Centre, from 1998 the Republic of Armenia has three sites consisting of twelve monuments which are included in the World Heritage List.

488. Currently activities are carried out all over Armenia to determine the protection zones of monuments of history and culture, and regulations thereof. This process has already been completed in around 90 communities of different Marzes of the Republic of Armenia. Simultaneously, activities are carried out in all Marzes of the Republic of Armenia to discover, study, and conserve the monuments of history and culture, to monitor the technical situation of more endangered monuments, and to compile a comprehensive database for the Armenian monuments. Since 2004 the State Budget allocated funds for restoration of historical and cultural monuments.

489. The draft law of the Republic of Armenia "On Museums and Museum Collections of the Republic of Armenia" is in the procedural stage.

490. Currently, 1724823 cultural values are kept in the museums of Armenia. The Ministry supports the establishment of conditions necessary for their conservation and accessibility, including opening new permanent exhibition halls, expanding the exhibition spaces, application of new approaches; thus, for example, due to the installation of artistic night lightings of the temple of Garni by the initiative of the Ministry in 2008, there was a significant increase in the number of visitors. At the same time, the extremely great ratio of

cultural values kept in the archives and exhibited is still a problem due to the lack of exhibition spaces.

491. The draft law of the Republic of Armenia “On Library Science” was submitted to the Government of the Republic of Armenia in 2008.

492. In 2008 the draft law of the Republic of Armenia “On Making Amendments and Supplements to the Law of the Republic of Armenia “On Mandatory Sample of Documents” was submitted to the National Assembly of the Republic of Armenia, the adoption of which will clarify the process of provision of mandatory sample.

493. Currently 8653294 book units are kept in the libraries of Armenia.

494. Since 2006 the Republic of Armenia is a Member State of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. On 23 November 2006 the Government of the Republic of Armenia approved the “Concept Paper for Safeguarding of the intangible cultural heritage, and for protection of its vital capacity”. In 2007 the Ministry of Culture of the Republic of Armenia drafted the law of the Republic of Armenia “On the Safeguarding of the Intangible Cultural Heritage”, which underwent two readings by the National Assembly of the Republic of Armenia in 2008. The Law will enable creation of a framework for the legal relations pertaining to the documentation, identification, study, application of intangible cultural heritage, and to protection of the ownership right over those values.

495. In 2005 duduk music of Armenia was proclaimed Masterpiece of the Oral and Intangible Heritage of Humanity by UNESCO in 2005.

496. In 2007, the Government of the Republic of Armenia approved the “Action Plan based on the Concept on safeguarding of intangible cultural heritage, protection of viability thereof”, within the framework of which training and re-qualification courses of specialists for various branches of national art have been conducted since 2008. Intangible heritage was first presented to the public through educational shows and television and radio programmes (“Akunk”, “Tribute to a Song”, “Folk Musical Instrument”, “Secrets of Sayat Nova”, “Old and New Bards”, “Armenian Church Psalm” radio programmes, “Smithcraft”, “Wine-making”, “Carpet-making films), mastery courses on ethnographic songs and dance, national games and other activities were organised. As a result, prerequisites for imparting national traditional culture from generation to generation and for including in the contemporary cultural processes will be created.

497. According to the Schedule of Measures deriving from the “Concept Paper for Safeguarding of the intangible cultural heritage, and for protection of its vital capacity”, which was approved by the Protocol Decision of the Government of the Republic of Armenia No. 17 of 3 May 2007, scientific criteria for registration, inventory-making, classification, and list-making of values of intangible cultural heritage were developed. Based on the latter, educational and methodological manual “Intangible Cultural Heritage: Classification and Criteria” was prepared and published jointly with the Archaeology and Ethnography Institute of the National Academy of Sciences of the Republic of Armenia.

498. Within the framework of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, a conference entitled “Knowledge and Symbol, Popular Belief and Custom” is organised every year, the objective of which is to clarify the issues relating to the field of safeguarding intangible cultural heritage and the role of the State in the further process.

499. Pursuant to the Law of the Republic of Armenia “On the Fundamentals of the Cultural Legislation”, the legislation ensures and protects the right of citizens of the Republic of Armenia to freedom of speech and creation. According to the same law, “each person shall be entitled, in a manner prescribed by the legislation of the Republic of

Armenia, without any age qualification, to humanities and art education, and to chose the types and means of such education”.

500. Special attention is paid in the Republic to the human resources policy in the culture sector, and to cultural education. In recent years, an importance has been attached to ensuring the continuation of education of specialists, to quality of artistic education, and to ensuring accessibility of artistic education. For this purpose, 33 base schools were established in the Republic in 2008- 3 schools in each Marz. Mechanisms of providing state-funded places to music schools have been established. The programme “Teaching of National Musical Instruments in Art and Music Schools of the Republic of Armenia” has been implemented, as a result of which tuition waivers were granted to 2062 students of 139 community music and art schools. The Programme contributed to the development of folk music and performance, increase in the number of students (around 31%), ensured the diversification of national instruments being taught.

501. The Ministry of Culture of the Republic of Armenia focuses on the project of education and training of specialists in culture sector, within the framework of which training is conducted in foreign higher educational institutions for professions in dramatic art, music art, conservation and restoration of historical and cultural monuments.

502. A special attention is paid to the raising of qualification of specialists engaged in the museum management; close co-operation is established in this field within the framework of UNESCO.

503. In 2008 “Assistance to Cultural Education” Foundation was established, which provides educational and methodological and practical assistance to students of music, art and artistic schools in 11 methodological centres in Yerevan and in Marzes.

504. Among the issues of cultural education sector were the status and place of the music, art and artistic schools in vocational education levels, as well as low salary of teachers. In 2008 the salary of teachers of music, art and artistic schools was increased by 20% at the account of AMD 23.49 million additionally allocated from the State Budget of the Republic of Armenia for that purpose upon the Decision of the Government of the Republic of Armenia No. 32-N of 17 January.

505. Within the framework of AMD 30 million allocated for curricula and government-sponsored books, 32 units of new curricula, textbooks, methodological manuals of artistic education were published for the first time in 2008. The published literature was provided free of charge to music and art schools of all communities of the Republic.

506. “Education for special groups of children” programme was aimed at maximum integration of children from socially vulnerable families in creative education system. For this purpose, art and craft classes were conducted for 470 disabled children, children left without parental care, socially vulnerable children, and 100 juvenile offenders, as a result of which professional completion certificates were awarded, and their works were publicly presented in the exhibitions. The art and craft classes for 100 juvenile convicts in the penitentiary institutions were conducted by “Special Creative Centre for Juvenile Offenders” SNCO.

507. 500 students and 400 pedagogues of 150 schools have actually increased the level of their professional mastery as a result of courses on the increase of professional mastery envisaged for 450 students and 300 pedagogues of 103 schools of 10 Marzes of the Republic of Armenia approved by the State Aid Programme for the Development of Creative Skills of Gifted Children. As a result, the quality of education of gifted children was improved, and creative skills thereof were fostered. Information bank for gifted and talented children of the Republic of Armenia, the Nagorno-Karabakh Republic and Javakhhk

was established, where 485 children involved participated in periodically organised concert programmes and festivals.

508. Proportional development of culture in the territory of Armenia is one of the priorities of the state cultural policy that is being implemented through the Programme of Culture Development in Marzes of the Republic of Armenia approved by the Government of the Republic of Armenia in 2007. It contributes to fostering cultural co-operation among the regions, and ensuring the continuity of the policy of culture decentralisation (to Marzes). A number of national festivals are held in Marzes. For this, the Ministry initiates theatrical performances, concerts, film screenings and other events in Marzes, the number of which and the volumes of financing grow year by year. Since 2008, “Artutik” summer creative work camp for children and young people has been held for 55 talented children from ten regions of the Republic of Armenia, Yerevan, Artsakh, and Javakhk, as well as “Singing Armenia” annual national contest of children and young people choirs, which was attended by children and young people choirs of general education schools and music and art schools of all Marzes of Armenia, as well as of Artsakh and Javakhk, is also held.

509. In 2006, the Republic of Armenia ratified the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, in accordance with the provisions thereof, as well as with the aforementioned legal framework, all necessary measures are undertaken in the Republic for providing access to culture for all society layers. “Arev” informative communication system operates in Armenia for blind and partially sighted persons, in the framework of which the computer enables them to “read” letters and figures through acoustic symbols.

510. Involvement of young creative potential, creation of new competitive cultural product, replenishment of performance and song repertoires with contemporary Armenian works of art, involvement of Armenian Diaspora artists in the Armenian culture sector are considered to be a priority in the development of contemporary art.

511. For the first time in 2008, assistance in various sectors of art was rendered for the creation of three young theatrical performances, ten films (five debut films, five student films) through debut programmes. “Debut” review for young artists and performers was organised in Gyumri, in Yerevan - the first chamber music festival of young composers, in Shorzha – the first creative gathering of young painters. In general, more than 59 young artists participated in the programmes.

512. State aid programmes on film production, fine art, dance, acquisition of modern works of art are geared towards the development of culture. The Ministry of Culture has always encouraged the participation of Armenian artists in international festivals, contests, exhibitions, conferences, etc. In this respect, a great activity has been recorded in the last decades.

513. A particular attention is attached to the involvement of the Diaspora Armenian artists in the culture sector of Armenia. In this regard, it is worth mentioning the traditional “One Nation, One Culture” Pan-Armenian Festival established in 2004, in the framework of which cognitive visits, exhibitions, presentations, dance and concert events are held with participation of Armenian cultural ensembles arrived from the Diaspora and local ensembles. In 2008, “National Dance in the Diaspora. Current Situation and Development Perspectives” scientific conference and training courses were held for the first time within the framework of the festival, which were attended by 20 Diaspora Armenian dancing masters from various countries.

514. For the purpose of attracting Diaspora Armenian artists in the culture sector of Armenia, “One nation, One Culture” Pan-Armenian Festival was held in a new format in 2008. In parallel to the traditional “One Nation, One Culture” amateur art festival, the following events were held:

- (a) “Week of Armenian Literature”;
- (b) “Week of Music”;
- (c) “Armenian international theatrical project” round table discussion;
- (d) “To the World with our Identity” round table discussion of journalists;
- (e) “Armenian Film Project” programme;
- (f) “Conservation of Armenian Cultural Heritage in the Republic of Armenia and Abroad” round table discussion.

515. The new format enabled the participants of round table discussions to elaborate and implement five sector Pan-Armenian programmes in 2009:

- (a) Film sector – the shooting of “Land” documentary film will be implemented with participation of various Armenian directors;
- (b) Theatre sector – staging of the play of Belgian Armenian dramatist K. Safaryan “Without Right to Return” will be implemented with participation of a number Diaspora artists;
- (c) Literature sector – “Contemporary Armenian Lyrics” in two volumes has been prepared, and Pan-Armenian literary periodical will be created;
- (d) Dance sector – mastery courses for Diaspora Armenian dancing masters were held, and they were provided with necessary professional literature;
- (e) Armenian cultural heritage conservation sector – Internet portal for Armenian cultural heritage will be developed, and support will be delivered - through diplomatic missions and representations of the Republic of Armenia abroad - to the process of recognition, documentation and taking the Armenian heritage under the auspices of the State in those countries.

516. The Ministry of Culture also pays an attention to the *application of information technologies* in the culture sector. It is targeted at the introduction of new information and communication technologies and electronic governance systems, creation of uniform information databases, promotion of the digitalization process of cultural properties.

517. In 2008, preparatory activities have been launched in respect of the Programme for creation of Electronic Governance and Departmental Links of the Ministry, replenishment of information database of museum collections, digitalization of cultural heritage, creation of the unified automated network, state uniform database (register) of monuments of history and culture, programmes for implementation of digitalization of museum archive (handwritten) collection.

518. For implementing activities aimed at digitalization of tangible and intangible properties owned by the State, written, videotaped materials kept in scientific and cultural organisations, in state archives, in 2008, computer software for digitalization of properties of intangible cultural heritage was developed, which will serve as a basis for implementing digitalization in the upcoming years in time periods and volumes envisaged by the programme. Information and other materials on 780 monuments were digitalized and entered into the computer in 2008 for the scientific informative database of Armenian historic and cultural heritage.

519. The Law of the Republic of Armenia “On Scientific and Scientific-Technical activities” was adopted on 5 December 2000, which currently regulates the field of scientific and scientific-technical activities. Procedures for contract-based (thematic), basic and special purpose financing of scientific and scientific-technical activities were approved in 2001. According to the aforementioned procedures, scientists and scientific workers

engaged in scientific organisations, higher educational institutions, non-governmental organisations operating under the National Academy of Sciences of the Republic of Armenia and the branch departments, as well as a number of individual scientists participate in the contest of research topics announced by the Ministry of Education and Science of the Republic of Armenia for research topics once in three years. Currently, about 83 scientific organisations are engaged in scientific activities through thematic, basic and special purpose financing. About 6899 scientists and scientific workers are involved in these projects, of which 651 are doctors of sciences, whereas 2031 - candidates of sciences. A multiform system for basic financing from the State Budget was introduced in 2003. State target programmes are being implemented from 2004. An importance is attached to the level of involvement of young people in evaluation of scientific themes or agendas.

520. "The procedure for post-graduate and doctoral studies" was approved upon the Decision of the Government of the Republic of Armenia No. 662 of 20 July 2001 according to which every year the number of seats for post-graduate and doctoral studies are defined by the Government of the Republic of Armenia taking into account the need for development of priority directions of science, as well as for rejuvenation of certain sectors of science in the Republic.

521. Currently, the Republic of Armenia is in the process of implementing reforms in the science sector. One of the first arrangements for reforms is the approval of the concept provisions for science sector reforms. The State Science Committee was set up in 2007 which assumed the management of further process of reforms in the science sector. One of the priority tasks of the Committee is the introduction of independent expertise system of the science sector that will largely promote the increase in the impartiality of evaluation of research topics and programmes financed from the budget by excluding the partial approach.

522. For the purpose of planning public expenditure for the science sector, strategic capacity building for the management of the sector and raising the efficiency of the public expenditure management system targeted at the science sector, the Medium-Term Expenditure Framework is being regularly implemented since 2003. The priorities of the Framework are the reforms implemented in the sector, increase in the wage of scientific workers, reproduction of scientific potential, establishment and development of independent expertise system of the science sector, maintenance and development of scientific informative database.

523. The Government of the Republic of Armenia, by proclaiming the information and telecommunication sector as one of priority branches for the development of the Armenian economy, in 2008 adopted a new ten-year strategy for the development of the sector, which is directed at the development of the infrastructure and aims at formulating an established information society, contribute to the dissemination of scientific and scientific-technical output and to aware our public with world processes of knowledge generation. Currently, the State Budget of the Republic of Armenia co-finances the project for establishment of regional research and education network among South Caucasus countries within the framework of Black Sea Interconnection (BSI) project, which aims at the involvement in GEANT network with European and regional partners and assistance to scientific co-operation. The Government of the Republic of Armenia supports the creation of Armenian national GRID environment within the framework of state special purpose financing of scientific and scientific-technical activities.

524. Scientific periodicals and collections published within the structure of the National Academy of Sciences of the Republic of Armenia and in higher educational institutions also contribute to the dissemination of scientific and scientific-technical information. Every year funds from the State Budget of the Republic of Armenia are allocated for scientific publications. Draft strategy for the development of the science sector of the Republic of

Armenia, and draft concepts on the development of the system for conferring scientific degrees in the Republic of Armenia have been elaborated and are currently in the process of discussion in the State Committee of Science.

525. Currently, funds are allocated from the State Budget of the Republic of Armenia for maintenance and development of information networks in the science sector.

526. Both scientific organisations and higher educational institutions under the National Academy of Sciences of the Republic of Armenia and line ministries of the Republic of Armenia and a number of non-governmental organisations are financed from the State Budget of the Republic of Armenia within the framework of basic and thematic financing of scientific and scientific-technical activities.

527. During the last decade a great attention has also been attached to fostering international co-operation in the science sector. Currently, a number of international agreements exist in the sector of scientific and scientific-technical co-operation, including with the Governments of CIS member states (the Russian Federation, Tajikistan, Belarus, Ukraine, Kyrgyzstan, Turkmenistan, Georgia) and of Greece, Lebanon, France, Slovakia, Romania, Islamic Republic of Iran, India, United States of America. In 2009, the Ministry of Education and Science of the Republic of Armenia and the National Centre for Scientific Research of France concluded a co-operation agreement in scientific and scientific-technical sector within the framework of which Armenian scientists will be afforded an opportunity to be engaged in international projects, international associated laboratories and international scientific and research groups. Currently, the Ministry of Education and Science of the Republic of Armenia, Russian Foundation for Fundamental Researches, State Committee of Science and Technology of the Republic of Belarus are negotiating on co-operation agreements within the framework of which research projects are envisaged to be financed on a co-financing principle.

528. Appropriate funds are allocated in the 2009 State Budget of the Republic of Armenia for the implementation of joint scientific programmes and projects, and for holding international scientific conferences, seminars, symposiums and summer schools within the framework of international scientific co-operation.

529. Pursuant to the Decision of the Government of the Republic of Armenia, since 1997 the Republic of Armenia acceded to the Agreement establishing an International Science and Technology Centre, and currently the co-operation with this Centre is continuing. Every year the International Scientific-Technical Centre finances a number of international research projects implemented in the Republic. Since 1997 up to present, the International Scientific-Technical Centre has financed 154 programmes.

530. Within the framework of INTAS and “South Caucasus regional project” of scientific co-operation of the Republic of Armenia, nine joint subprojects were approved in 2007 (for a term of three years). It is co-financed by the Government of the Republic of Armenia and INTAS.

531. Since 1992, the Republic of Armenia is a Member State of Joint Institute for Nuclear Research (Dubna). In 2008, Armenia’s share in the budget of the Joint Institute for Nuclear Research amounted to USD 69.9 thousand. Currently, 24 Armenian scientific workers, members of the Institute and other workers are engaged in the Joint Institute for Nuclear Research.

532. The opportunity for the scientists to be freely engaged in creative work enabled scientific organisations and individual scientists to enter the international scientific markets. Every year, various international and foreign organisations (NFSAT, CRDF, ANSEF, UNESCO, etc.) and Armenian higher educational institutions and scientific organisations implement joint grant projects. Grant co-operation is also implemented within the scope of

the EU framework projects, NATO, SCOPES, USDA, USAID and other projects. Every year, appropriate funds are allocated from the State Budget of the Republic of Armenia for ensuring the participation of scientists and scientific workers engaged in scientific and scientific-technical activities in international conferences, symposiums, and exhibitions held abroad.

533. Since 1991, the Republic of Armenia is a Member State of the Paris Convention for the Protection of Industrial Property, Convention establishing the World Intellectual Property Organization, since 1996, Eurasian Patent Convention, and since 2000, Berne International Convention for the Protection of Literary and Artistic Works.

534. Article 31 of the Constitution of the Republic of Armenia states that intellectual property is protected by the law. The complete Section 10 of the Civil Code of the Republic of Armenia covers the relations pertaining to intellectual property. In the last decade, a great attention is attached to the regulation of issues in this sector, and arrangements are undertaken to improve the sector legislation of the Republic of Armenia, as a result of which the new Law of the Republic of Armenia “On Copyright and Related Rights” in 2006, and the Law of the Republic of Armenia “On Inventions, Utility Models, and Industrial Designs” in 2008, the Law of the Republic of Armenia “On Trade Names” were adopted. Rules covering issues pertaining to the protection of copyright and related rights laid down in Section 5 of the Law of the Republic of Armenia “On Copyright and Related Rights” ensure the implementation of the constitutional norm.

535. Upon the Decision of the Government of the Republic of Armenia No. 380-A of 28 April 2008 “On approving the Action Plan of the Government of the Republic of Armenia”, the Government attaches an importance to bringing the process of reliable and effective protection of intellectual property, as well as the process of property rights registration in line with the best international standards. In 2009, draft laws of the Republic of Armenia on making supplements to the Law of the Republic of Armenia “On Trademarks”, “On Geographical Indications”, “On Appraisal of Intellectual Property”, and “On Trade Names” are envisaged to be submitted to the Government of the Republic of Armenia for discussion.

536. Decision No. 506-N “On defining the minimum rate of author’s remuneration for certain forms of use of works” adopted on 11 January 2007 by the Government of the Republic of Armenia will also be submitted to the Government of the Republic of Armenia for discussion.

537. Currently, in the territory of the Republic of Armenia issues pertaining to copyright and related rights are governed by the Constitution of the Republic of Armenia, the Civil Code of the Republic of Armenia, the Criminal Code of the Republic of Armenia, the Customs Code of the Republic of Armenia, the Law of the Republic of Armenia “On Copyright and Related Rights” that entered into force on 27 July 2006.

538. From the perspective of copyright law, personal letter-diaries are unique in the field of literary works. Legal protection of letters and such works are rather related to constitutional right of private property protection. Pursuant to the relevant Article of the Constitution of the Republic of Armenia, legal protection of letters and messages is connected with intellectual property law in the sense that they have an addressee. In case of disagreement, the matter of the author or of the rights holder is often settled through a judicial procedure based on the specifics of copyright objects.

539. Both in case of scientific works and other works the copyright protection does not depend on the content of the work. Copyright protects the expression of the work, rather than its content.

540. The Law of the Republic of Armenia of 2002 “On Fundamentals of Cultural Legislation of the Republic of Armenia” (Chapter 8) defines the policy of international cultural exchanges, and priorities, policy on exchange of illegally exported and illegally imported cultural properties, as well as cultural co-operation in foreign countries.

541. During the last decades significant progress was recorded in the field of Armenia’s integration into international institutions, implementation of co-financed programmes, as well as bilateral international co-operation.

542. Armenia is a member of the European Cultural Convention (1954), Convention for the Protection of the Architectural Heritage of Europe (1985), European Convention on the Protection of the Archaeological Heritage (Revised) (1992), European Convention on Cinematographic Co-Production (1992), UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, Second Protocol to the 1945 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1999), UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). The Council of Europe Framework Convention on the Value of Cultural Heritage for Society (2005) is in the process of ratification.

543. In 2008, the Ministry of Culture of the Republic of Armenia initiated the process of acceding to the Agreement on the Importation of Educational, Scientific and Cultural Materials signed in Lake Success (New York) on 22 November 1950 and to the Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials signed in New York on 1 March 1977. Accession to the Agreement will promote the free interchange of books, cultural, educational and scientific materials, simplification of customs and administrative processes related to importation of the said materials, and free circulation thereof.

544. Co-operation with the Council of Europe:

(a) “Cinema as a Means for Intercultural Dialogue” international conference - envisaged by the “Kiev Initiative” programme - with participation of the Executive Director of “Eurimage” was held in Yerevan within the framework of “Golden Apricot” 5<sup>th</sup> international film festival,

(b) By emphasizing intercultural dialogue, Armenia was one of the first Member States of the Council of Europe that translated into Armenian and published the CoE White Paper on intercultural dialogue and arranged a public debate with participation of outstanding figures of the culture sector and representatives of non-governmental organisations.

(c) Assistance was rendered for presenting state cultural policy of Armenia within the framework of CoE “Compendium”.

545. Co-operation with the United Nations and UNESCO:

(a) “Roads of Culture and Tourism for Development and Dialogue” pilot project was prepared jointly with the Ministry of Economy of the Republic of Armenia and was launched in January 2009;

(b) Preparatory activities for holding seminars, trainings for management of museumology and arts sectors during 2009 were carried out jointly with the UNESCO Moscow Office;

(c) Provision was made for the participation in the festival “Meeting the UNESCO Masterpieces in the Land of Olonkho” (Yakutsk) which was dedicated to duduk, as well as in the Central Asian and SIC subregional courses (Bishkek) on registration of intangible cultural heritage;

(d) Participation in various Working Groups set up for preparation of periodic reports of the Republic of Armenia was ensured.

546. Co-operation with the European Union:

(a) The “European Heritage Days” programme was implemented;

(b) Preparatory activities for ensuring participation in the EU “Evaluation of Cultural Needs” programme was carried out jointly with the experts of the European Commission;

(c) Proposals were submitted on 2009-2011 priorities and priority measures in the culture sector to be included in the EU-Armenia Action Plan;

(d) For the purpose of implementing the NATO Individual Partnership Programme and the EU European Neighbourhood Policy Action Plan, provision was made for participation in sessions of the Interdepartmental Committee.

547. Co-operation within the framework of CIS:

(a) Being a CIS Member State, Armenia is actively involved in activities of institutions of the organisation dealing with humanitarian and cultural issues. Particularly, there was an active co-operation with the CIS Humanitarian Co-operation Council (HCC) and Interstate Humanitarian Co-operation Fund (IHCF). Within the framework of IHCF, Armenia is actively engaged in preservation of cultural space, promotion of young artists, introduction of innovations, regulation of education issues, and implementation of planned actions aimed at mass media cooperation in the CIS territory. Moreover, since 2006, provision was made for participation in CIS Forums of Artistic and Scientific Intelligentsia (Dushanbe) held by IHCF, “Co-operation of Debuts” contest, “Year of Literature and Reading” initiative, and annual charitable event held by IHCF;

(b) “International Humanitarian Festival of Russian-Language Radio Broadcasting”, second forum on “Translation. Language and Culture” of CIS and Baltic countries’ publishers are being held in Armenia since 2007 with the support of IHCF;

(c) Permanent participation in activities of relevant Councils of CIS Executive Committee and working and expert Groups, elaboration of concept papers (e.g. concept paper on culture; artistic education system; analysis and comparison of legislative framework pertaining to the culture sector, and other concept issues of mutual interest);

(d) In recent years, having regard to common problems in the field of cultural policy as well as personnel preparation sector, IHCF implements its projects jointly with UNESCO (e.g. training courses for workers of museums, forum on “Cultural policy, Policy for Culture. New Directions and Approaches of Cultural Policy”).

548. Co-operation within the framework of the Organization of the Black Sea Economic Cooperation: A meeting of the Member States of the Organization of the Black Sea Economic Cooperation, a round table discussion, and exhibitions relating to the culture sector were prepared and held in 2009.

549. *Within the framework of co-operation with the British Council.* In 2008, the Ministry of Culture of the Republic of Armenia, Yerevan Municipality and the British Council signed Memorandum of Understanding for development and improvement of information and library system of Armenia. Parallel to the project, in the course of 2009 a British cultural programme is envisaged to be implemented in Armenia. Since 2007, every year, the Ministry of Culture of the Republic of Armenia celebrates the “Translator’s Day”, within the framework of which book presentations, round table discussions, exhibitions of books published in CIS countries are held in Armenia with participation of foreign writers, as well as discussions on new programmes in the translation sector are held, etc.

550. Armenia will continue to participate in co-financed and jointly implemented programmes and initiatives the number of which increases year by year.

- (a) “European Heritage Days” programme implemented within the framework of co-operation with the Council of Europe and European Union;
- (b) Publication and presentation of White Paper on intercultural dialogue within the framework of co-operation with the Council of Europe;
- (c) “Belgium-Armenia. Dialogue” joint programme within the framework of declaring the year of 2008 as “European Year of Intercultural Dialogue” by the European Union;
- (d) “Training programme for museum specialists” within the framework of co-operation with UNESCO;
- (e) “Library Renovation Programme” implemented jointly with the British Council;
- (f) Youth Delphic Games of CIS member states implemented within the framework of CIS;
- (g) “We are the heirs of Victory” programme implemented within the framework of CIS;
- (h) Joint programmes with CIS Member States implemented within the framework of IHCF;
- (i) “International Francophone Games” project implemented jointly with International Organization of the Francophonie;
- (j) “Museum Night” international project;
- (k) French-Armenian “International festival of Imagery and Images” in Yerevan implemented jointly with “Union of Armenia Imagery Development”;
- (l) “Music Festival” Armenian-French joint project.

551. Since 1999, the Republic of Armenia is a member of the International Network on Cultural Policy. The Republic of Armenia is a member also of the International Council on Monuments and Sites (ICOMOS).

552. Since 2008, the Ministry of Culture of the Republic of Armenia is a member of the International Federation of Arts Councils and Culture Agencies (IFACCA).

553. The Ministry of Culture of the Republic of Armenia also encourages the membership of cultural organisations operating in Armenia in international organisations, as well as participation of their representatives in seminars and meetings organised within the framework thereof.

554. Libraries of Armenia are members of the International Standard Serial Number (ISSN), and the Publishing Agency is a member of the International Standard Book Number (ISBN).

555. The National Library of Armenia is a member of CIS Section of Interlibrary Loan, International Federation of Library Associations and Institutions (IFLA), Library Association of Eurasia of CIS and Baltic countries, Conference of European National Librarians (CENL).

556. “Hay Fest” international theatre festival is a member of the International Network for Contemporary Performing Arts (IETM), International Association of Theatres for Children and Young People (ASSITEJ), International Festivals and Events Association

(IFEA); “The Perspectives of XXI” international music festival is a member of the European Festivals Association (EFA).

557. In 2008, H. Tumanyan State Puppet Theatre acceded to the International Union of the Marionette Congress, the National Library of Armenia is a member of the UNESCO Library Assembly of Eurasia, the Scientific-Methodological Centre of Folk Art of the Ministry of Culture of the Republic of Armenia is a member of the International Council of Organizations of Folklore Festivals and Folk Arts.

558. For the purpose of developing culture and arts, bilateral interstate, intergovernmental, interdepartmental agreements, memorandums of understanding, co-operation programmes were signed with more than 50 countries (including North and South America, Western and Eastern Europe, CIS, Asian countries). Mutual culture days, weeks, conferences, symposiums, concert, theatre and exhibition programmes, etc. are held during the last decade within the framework of bilateral agreements.

559. Armenian writers constantly participate in literature weeks, literature exchange programmes, round table discussions held in different countries. In recent years, Armenian publishers participate in International Book Fair of Moscow, Frankfurt, Paris.

560. For the first time in 2008, seminars for documentalists and movie critics were held in Armenia within the framework of “Higher Training Courses of the Region” programme under Yerevan “Golden Apricot” international film festival. One of the achievements of the sector of film art was also “Cinema as a Means for Intercultural Dialogue” conference held in July 2008, which was attended by representatives of 14 countries, as well as the Executive Director of Eurimage.

561. Theatre creative teams and individuals of the Republic participate in international festivals and programmes with the support of the State.

562. Inconsistency of the legislative framework with international instruments hinders the development of sustainable international co-operation in the culture sector, and appropriate activities to overcome the said issue are underway. Moreover, Armenia step by step implements the process of acceding to international instruments pertaining to culture sector under the auspices of the United Nations, UNESCO, Council of Europe, and CIS.

563. Assistance provided by international organisations largely contributed to the technical re-equipment (sound and lighting equipment, provision and repair of musical instruments, establishment of regional centre for restoration of cultural properties) of culture institutions, and to the implementation of co-financed bilateral and multilateral programmes.

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