



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

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

**Concluding observations on the combined fifth and sixth
periodic reports of Armenia**

Addendum

**Information provided by Armenia in follow-up to the
concluding observations***

[Date received: 10 June 2019]

* The present document is being issued without formal editing.



Information on the steps taken by the Republic of Armenia to implement the recommendations contained in paragraphs 17 (a) and (b) and 29 (a) of the concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ARM/CO/5-6)

Reply to paragraph 17 (a) of the concluding observations

1. In connection with this point, it should be underlined that the current Criminal Code of the Republic of Armenia provides criminal liability for both murder and rape, particularly:

- According to the Article 104 of the RA Criminal Code the murder (illegal willful deprivation of one's life) is considered to be a crime and is punished with 8–15 years of imprisonment.
- Murder:
 - Of 2 or more persons;
 - The incident of corruption or conflict of interest or ethical rules or incompatibility requirements or other restrictions, or the person who is reporting the violation of the declaration or of any other harm to the public interest or threat thereof;
 - Of the person of close relative of the latter, due to service and public duty of the person;
 - Combined with kidnapping or taking hostage;
 - Pregnant woman;
 - With particular cruelty;
 - Committed in a way dangerous for the life of many people;
 - By a group of people or by an organized group;
 - Out of mercenary motives and combined with extortion and banditry;
 - Combined with terrorism;
 - Out of hooliganism;
 - Committed by the participant during the mass disorder;
 - To conceal another crime or to facilitate the committal of the latter;
 - Combined with rape or violent sexual actions;
 - Out of motives of national, racial or religious hate or fanaticism;
 - For the purpose of utilization of the parts of the body or tissues of the victim is punished with 20 years of imprisonment or for life;

2. According to the Article 138 of the RA Criminal Code the “Rape” is the sexual intercourse of a man with a woman against her will, using violence against the latter or some other person, with threat thereof, or taking advantage of the woman's helpless situation, and is punished with imprisonment for the term of 3 to 6 years.

3. The rape which:

- Was done by a group of persons;
- Was done against the aggrieved or other person with particular cruelty;

- Was done against a minor,
 - Caused the death of the aggrieved or heavy consequences, by negligence;
 - Was done against pregnant women;
 - Committed with the use of a weapon or other object being used as a weapon or a threat of using it;
 - Committed against a person serving a sentence in a correctional institution, detention facility, disciplinary battalion as well as against a soldier in a military unit, a person who is being treated or examined in a medical facility or in any other manner prescribed by law, or by any other person deprived of liberty by an employee of the relevant institution, is punished with imprisonment for the term of 4 to 10 years.
4. The actions mentioned in part 1 or 2 of this Article, particularly:
- Against a person under 18 years of age committed by a parent or a pedagogue or by an employee of an educational or medical institution or by another person who is responsible for the child upbringing or childcare;
 - Against an aggrieved under 14 years of age, is punished with an imprisonment for the term of 8 to 15 years and by depriving to hold certain positions or engage in certain activities for a term of 3 years or without it.
5. According to the Articles 138 and 139 of the RA Criminal Code, a person, who is temporarily deprived of the possibility of resisting the perpetrator or recognizing or understanding the nature of the offense committed by a person under the circumstances or as a person under the age of 12, is considered to be a person in a helpless situation.
6. At the same time, we would like to state that currently the drafts of the RA Criminal Code and Criminal Procedure Code are at the stage of development, during which the subject of discussion is the elaboration of the legal regulations aimed at the implementation of the recommendations of the Convention on the Elimination of All Forms of Discrimination Against Women. The RA Criminal and Criminal Procedure Codes are expected to be adopted by 2020.

Reply to paragraph 17 (b) of the concluding observations

7. On January 18, 2018, the Republic of Armenia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Currently, efforts are being made to ratify the Convention.

Reply to paragraph 29 (a) of the concluding observations

8. In 2016, following the amendments made to the Article 10 of the RA Law “On Reproductive Health and Reproductive Rights” (the abortion) and following the supplements made to the “Code of Administrative Offences of the Republic of Armenia,” the Government Order No. 180-N (February 23, 2017) on “Approving the Terms and Conditions of Abortions” that also declared null and void the Government Decree No. 1116-N (August 5, 2004) was developed and adopted thus clarifying the medical and social indications of abortions and procedure and terms of implementation.

9. Furthermore, the new Law “On Reproductive Health and Reproductive Rights,” the supplements made to the “Code of Administrative Offences of the Republic of Armenia” and the Government Order No. 180-N (February 23, 2017) on “Approving the Terms and Conditions of Abortions” that also declared null and void the Government Decree No. 1116-N (August 5, 2004) were sent to all the medical

institutions that provide birth-care services and to their founders by the RA Ministry of Health. The provisions of the above-mentioned legal acts have been presented to the specialists within the framework of various training programs.

10. Based on the Government Order No. 180-N (February 23, 2017) on “Approving the Terms and Conditions of Abortions” that also declared null and void the Government Decree No. 1116-N (August 5, 2004), the card project of abortion was developed.

11. At the same time, measures were taken to change the professional practice of healthcare workers:

(a) Seminars were organized for the healthcare workers to provide pre-natal counseling for pregnant women and on ethical issues in the application of sex determination technologies in medical institutions that provide birth-care services (25 seminars, 100 participants);

(b) In collaboration with the United Nations Population Fund, a special methodology and Manual “On the Prevention of Sex-Selective Abortions” were prepared and published for the employees of medical institutions that provide birth-care services, including the administration of the mentioned field and the staff and gynecologists who use ultrasound research to determine the gender of the child. About 300 brochures have been published so far. Based on the above-mentioned manual, an information leaflet has been developed for medical staff, particularly for obstetrician-gynecologists and ultrasound researchers. The leaflet contains information on 6 steps to provide effective counseling for the prevention of sex-selective abortions;

(c) 15 seminar-meetings with the clarification of the above-mentioned issues have been conducted with over 170 doctors and nurses in the following cities: Martuni, Gavar, Sevan, Stepanavan, Vanadzor, Artik, Gyumri, Yeghegnadzor, Vayk, Abovyan, Hrazdan, Echmiadzin, Armavir, Ashtarak and Talin;

(d) One-day training was conducted for the 45 medical institutions that provide the primary healthcare service in Yerevan on November, 2017, for the 29 medical institutions that provide the obstetrics and gynecological hospital services in Yerevan on October-November, 2018 and for the 41 obstetrician-gynecologists and sonographers in Ararat, Armavir, Kotayq, Aragatsotn, Gegharkunik and Shirak regions. Within the framework of the training, the situational analysis of the gender-based discrimination in Armenia and the role of the medical staff in the prevention of sex-selective abortions was presented as well as training on the effective counseling skills was conducted by the psychologist.

12. The United Nations Population Fund has also developed an information leaflet for pregnant women named “Pregnancy Calculator”. All the developed materials have been approved by the RA Ministry of Health, and then published and provided to the relevant medical facilities.

13. Works have also been conducted with the research institutions to improve their capacity for data collection and trend analysis. Relevant specialists took part in a 5-day training.

14. The implementation of the activities of the 2015–2017 program on the “Prevention of the Sex-Selective Abortions” continued with the support of the United Nations Population Fund and with the joint order of approval of the RA Minister of Health and the RA Minister of Labor and Social Affairs, within the framework of which a wide range of public awareness campaigns have been carried out in collaboration with the government agencies, international organizations (UN Population Fund, “International Center for Human Development,” “Save the

Children”, “World Vision”, etc.), local, non-governmental and community organizations.

15. In 2018 a tripartite memorandum was signed between the RA Ministry of Health, the RA Ministry of Labor and Social Affairs and the International Center for Human Development to ensure the continuity of the program on the “Prevention of Sex-Selective Abortions.”

16. The RA Ministry of Health, the RA Ministry of Labor and Social Affairs, the Statistical Committee and the International Center for Human Development jointly elaborated the draft of the 2018–2022 program on the “Prevention of Sex-Selective Abortions,” which is expected to be finalized by the RA Ministry of Health and the RA Ministry of Labor and Social Affairs in the near future, and approved by a joint order.

17. The Communication Strategy of the 2018–2022 program on the “Prevention of Sex-Selective Abortions” was developed, which will be discussed in the near future with the relevant agencies. Currently, the policies and programs in the field of preventing sex-selective abortions are being monitored.

18. Within the framework of the Global project, the International Center for Human Development implemented the “Analysis of state policy reform costs and reality analysis to expand childcare and development services during the early childhood in order to prevent the sex-selective abortions.” The results were presented during the round-table discussion on March 30, 2019.

19. Within the framework of the public awareness raising events, “NE Travel” puppet show presentation was organized in Gegharkunik, Armavir and Shirak regions.

20. An event dedicated to the International Day of Girls (game-quiz) was organized on October 11, 2019 within the framework of the International Summit of la Francophonie.

21. In 2018, a short film about the causes and consequences of the gender-based discrimination, which was posted on the websites of the United Nations Population Fund and International Center for Human Development, as well as in the appropriate Facebook group named “Fight against Sex-Selective Abortions”, was moderated by the International Center for Human Development (ICHHD).

22. As a result of complex measures, some positive trends have been identified in the process of overcoming the issue of sex-selective abortions. Thus, for 2008–2012 the average female and male ratio was 100:115, for 2014 it was 100:113.4, for 2015 it was 100:112,7, for 2016 it was 100:111.9 and for 2017 it was 100:109.8.