



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1484th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 23 November 2016, at 10 a.m.

Chair: Mr. Modvig

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fourth periodic report of Armenia (CAT/C/ARM/4; CAT/C/ARM/QPR/4)

1. *At the invitation of the Chair, the delegation of Armenia took places at the Committee table.*
2. **Mr. Asatryan** (Armenia) said that under the amendments to the legislation criminalizing torture, acts of torture were punishable by 4 to 8 years of imprisonment, or 7 to 12 years of imprisonment if there were aggravating circumstances, and deprivation of the right to hold certain posts and carry out certain activities for up to three years. The new draft Criminal Procedure Code established mechanisms to ensure that ill-treatment was investigated and its perpetrators punished. It provided fundamental safeguards to protect the rights of detainees from the time of arrest and proposed alternative measures, such as house arrest, to limit the use of pretrial detention. Positive feedback had been received from international experts on the concept paper for the new Penitentiary Code, which included the creation of individual risk assessment mechanisms and the revision of existing regulations on conditional release. The Law on Holding Arrested and Detained Persons had been amended to enable detainees to meet with their defence counsel in private, without any restriction on the number of meetings or their length, and to consult any lawyer on matters unrelated to the investigation of the case.
3. The bill to amend the provisions of the Civil Code on compensation for non-pecuniary damage had been passed in 2015. A total of 14 claims for compensation were being examined by courts of first instance with general jurisdiction. Further amendments, specifically concerning rehabilitation for victims of torture and their families, had been drafted and circulated for consideration. A new unit comprising eight investigators, the Department for Investigation of Torture, had been set up within the Special Investigation Service (SIS) in order to guarantee the comprehensive investigation of cases of ill-treatment. The recent report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment following its visit in 2015 had shown that steps had been taken to increase the independence of the SIS and its capacity to investigate allegations. The report had also shown that in each of the specific cases reviewed during the visit, the investigators had acted with professionalism, obtaining evidence swiftly, interviewing complainants promptly and questioning police officers thoroughly. As of 2016, all reports of the European Committee, together with the Government's responses, would be made public.
4. A bill on domestic violence had been submitted to parliament on 30 September 2016. It provided for the establishment of State-funded shelters and support centres offering free medical, psychological and legal assistance to victims of domestic violence, as well as the possibility of additional funding for temporary material assistance. The bill also provided for the creation of a council for the prevention of domestic violence, which would include civil society representatives; the president of the council would be elected from among those representatives. The possibility of defining domestic violence as a specific offence was being discussed within the framework of the bill. There was one juvenile court judge within each court of first instance with general jurisdiction.
5. The decision of the Committee of Ministers of the Council of Europe to close the Kirakosyan group of cases had demonstrated that significant progress had been made with regard to detention conditions. Armavir prison currently held up to 1,200 inmates and would be occupied to its full capacity by the end of 2016. According to the report of the European Committee following its visit in 2015, there was no longer any overcrowding in

detention facilities. In the bills to amend the Criminal Code, the Penitentiary Code and the Criminal Procedure Code, a number of measures had been introduced with the aim of reducing the prison population.

6. The Law on Probation had entered into force on 4 June 2016, and the charter and structure of the Probation Service, which would be responsible for matters such as alternative penalties and conditional release, had been established by government decree on 14 July 2016. The Government was working to improve the quality of health care in prisons, including within the framework of the European Neighbourhood Policy. A concept paper on modernizing health-care services in prisons had been drafted by the Ministry of Justice. A bill on the Human Rights Defender, including specific regulations on the functions and mandate of the national preventive mechanism, had been submitted to parliament for a first reading. Amendments to the Constitution on 6 December 2015 had been the starting point for a new phase of ongoing legal reforms, including in the field of human rights.

7. **Mr. Touzé** (Country Rapporteur), welcoming the many legislative changes that had been made following the Committee's concluding observations of 2012 and the development of the National Human Rights Action Plan, said that he would appreciate more detailed information on the implementation of the new provisions of the Criminal Code, including the number of prosecutions based on those provisions, particularly in the light of civil society reports that had called into question the effectiveness of the reform. He would also like information on prosecutions for acts of torture for the period 2012-2015. Noting with concern that the new Criminal Procedure Code had not yet been adopted and that a change of government in 2017 could lead to it being set aside, he would like to know the time frame for its adoption. Recalling the principle of imprescriptibility for the offence of torture, he called upon the State party to confirm its commitment to that principle and asked what progress had been made on any legislative amendments to exclude the possibility of pardons, amnesties and statutory limitation for cases of torture. He requested clarification on the penalties for acts of torture set out in the Criminal Code, noting with concern that they did not fully take into account the grave nature of the offence.

8. He wished to know whether domestic legislation established universal jurisdiction over the offence of torture. He would like more information on the prosecution of torture offences committed in territories over which Armenia exercised effective control, as ruled by the European Court of Human Rights in the case of *Chiragov and Others v. Armenia* with regard to Nagorno-Karabakh. In particular, he invited the delegation to provide further information regarding the allegations that the ill-treatment of an Azerbaijani national and a Russian national by the Armenian authorities had not been properly investigated.

9. He would like detailed information on the planned amendment to the Criminal Procedure Code to establish the inadmissibility of statements obtained through torture and to enable the prosecution of public officials who had sought to obtain statements in that way. The Committee had not yet received the information requested in questions 21 (c) and (d) of the list of issues concerning the number of cases in which confessions had been deemed inadmissible, the number of convictions that had been reviewed and the number of proceedings that had been suspended. Noting with regret that the legislative amendment enabling the prosecution of public officials who had committed acts of torture did not extend to prison personnel or members of the armed forces, he invited the delegation to comment on allegations that many public officials were able to escape prosecution through a range of abusive practices, such as reassignment to another security force following a brief period of suspension.

10. Recalling the State party's obligation to prevent violence against women and girls, including domestic violence, and to criminalize such acts appropriately in its domestic legislation, he asked what legal measures had been taken by the Government to remedy the situation in Armenia, where gender stereotypes persisted, and women and girls continued to

suffer abuse of all kinds. He enquired whether there were any plans to establish a legal framework that would not only prevent such abuse, but also provide protection for the victims and guarantee that they were able to file complaints without fear of retaliation. Lastly, he wished to know the time frame for the effective implementation of such measures. Noting that Armenia had the third highest rate of selective abortion in the world, the Committee would welcome information on any plans to combat that practice, which could be considered an act of violence against women, as found by the Parliamentary Assembly of the Council of Europe in its resolution of 2011 on prenatal sex selection. It would like to know the Government's position on the matter and the measures taken vis-à-vis doctors in order to limit the use of such practices, as recommended by the Committee on the Elimination of Discrimination against Women.

11. The Committee remained highly concerned at the prevalence of torture in the State party and the failure of the authorities to investigate allegations effectively. It wished to know the position of the State party with regard to the cases of torture and ill-treatment listed in the annex to the joint submission of the Partnership for Open Society Initiative. Both the Commissioner for Human Rights of the Council of Europe and the European Committee for the Prevention of Torture had recently raised concerns about the continued use of prohibited practices in detention centres.

12. The Committee was concerned at reports of the use of excessive force by law enforcement officers during largely peaceful demonstrations in Yerevan in June 2015. He wished to know whether any of the officers involved had been investigated and prosecuted. The Committee was further concerned at reports that detainees suspected of involvement in the armed occupation of a police station in the district of Erebuni in July 2016 had been denied food or water for 32 hours and prevented from consulting their legal representatives. The delegation should explain why such action had been taken and whether any investigations had been conducted to ensure that law enforcement officers had not engaged in any practices prohibited by the Convention during their handling of the detainees. How many people were still being held in detention following the two incidents?

13. In the light of the absence of a juvenile justice system in the State party, it would be useful to learn about the training given to judges specializing in proceedings against minors. Details would also be welcome regarding the maximum permitted duration of pretrial detention of minors under the existing Criminal Procedure Code and under the intended amendments to it. Were there any plans to adapt the legislation applicable to minors in order to take into account their inherent vulnerability?

14. He would be grateful for information about efforts to closely monitor the situation in special schools and closed or partially closed institutions such as the Vanadzor Children's Home and the Vanadzor Care and Protection Centre, with a view to ensuring that children were not subjected to intimidation, ill-treatment or violence. The delegation should specify whether solitary confinement continued to be used in special schools, whether it was used as an exceptional measure of last resort for as short a time as possible, and whether it was under strict supervision and subject to judicial review.

15. The Committee wished to receive information on the number of non-combat deaths in the armed forces and on the hazing of conscripts, including the outcome of any investigations in that regard and the compensation provided to victims and their families.

16. It would be useful to hear from the delegation on why proceedings were instituted in only a minority of reported cases of domestic violence and whether the Criminal Code required modification in that regard. The delegation should also explain why the number of cases recorded by NGOs was up to seven times higher than that recorded by the authorities. The Committee would welcome updated statistics on the number of cases of domestic violence officially recorded and the number of proceedings initiated in such cases. Did the

Government still intend to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence before the end of 2016?

17. He would welcome comments from the delegation on reports that detainees who sustained injuries in a police facility were pressured by the police to make a written statement that they had been injured before detention as a result of a fall. The delegation should provide detailed statistical data, disaggregated by crime committed, ethnicity, age and sex, on complaints relating to torture and ill-treatment allegedly committed by law enforcement officials, on related investigations, prosecutions and convictions, and on the sanctions applied. The delegation should also specify the provisions of the Criminal Code under which the defendants had been convicted and indicate which authority had investigated the complaints, the authority's level of independence and how many public officials had been suspended from duty during the investigation. Information would also be welcome on the number of defendants involved in cases of torture or ill-treatment who had been granted amnesty during the period under review.

18. The Committee would be grateful to receive information on the outcome of the investigation into the 10 deaths that had occurred during the clashes between police and protesters following the February 2008 elections, including the establishment of the command responsibility of senior police and security officials in that connection. The delegation should indicate whether individuals believed to have knowledge of the March 2008 events had been effectively protected from reprisals and intimidation, and indicate the measures taken to bring to justice the attackers described in a letter of 11 September 2013. Had any law enforcement officials been investigated for excessive or indiscriminate use of force, ill-treatment and denial of legal safeguards? If so, the delegation should state whether they had been prosecuted and punished with sentences appropriate to the gravity of the offence specifying the exact sentences handed down, and whether the families of the victims had received adequate redress, including compensation.

19. Noting the high number of reported cases of torture which were not investigated by the authorities, he wished to know whether any investigations had been carried out to determine the independence and impartiality of magistrates acting in accordance with Special Investigation Service procedures. The delegation should provide clarification of the practice of the Service with regard to the level of evidence it required. The delegation should comment on whether there had been any investigation of reports that medical examinations had deliberately been delayed to enable injuries sustained through torture to heal.

20. While the asylum system in the State party had provided protection for a large number of people in recent years, the Committee would welcome an explanation as to why, since the end of 2015, the rules had been tightened for Iraqi asylum seekers of Armenian origin. Did the Government intend to introduce legislation regarding the State party's non-refoulement obligations? Given that many reception centres for refugees and asylum seekers were overcrowded, the delegation should indicate the steps being taken to improve conditions.

21. The Committee was concerned about numerous reports that fundamental legal safeguards were not applied in the State party. It would be useful to receive updated information on the keeping of police records of all periods of deprivation of liberty and the introduction of electronic protocols of detention. The delegation should indicate whether during the period under review the three-day time limit for transferring detainees from a police station to a detention facility had been adhered to and whether recording equipment had been installed in interrogation rooms.

22. He wished to receive further details of the extra funding allocated to the Public Defender's Office. It would be useful to hear the delegation's comments on the reported

practice of police officers discouraging detainees from requesting legal assistance by indicating that it might affect them adversely during the investigation. The delegation should clarify whether detainees had access to a doctor of their choice.

23. It would be interesting to learn of any measures adopted by the State party to reduce the large number of people in pretrial detention and to shorten the length of time people were held in such detention. He wished to know what steps had been taken to uphold the rights of detainees, notably in the case of Hrachya Gevorgyan. Could the delegation comment on reports that judges were disinclined to consider alternatives to pretrial detention? The delegation should also provide statistics on juveniles in pretrial detention.

24. The Committee had received information about acts of police aggression against journalists, notably outside Kentron police station in June 2014, and against opponents of the Government, including Aram Manukyan. Had those acts been investigated? He wished to receive an update on the health of Mr. Manukyan. The delegation should comment on the veracity of reports that lesbian, gay, bisexual and transgender (LGBT) persons had been subjected to violence, including in military settings. He wished to receive assurances that the State party was taking all necessary measures to protect journalists and human rights defenders from threats and violence, and to investigate all allegations concerning such incidents.

25. Welcoming the introduction of legislation providing for compensation to victims for non-pecuniary damage, he wished to receive information on the situations in which such compensation had been provided and the amounts awarded. The delegation should provide a comprehensive list of the rehabilitation measures in place for victims of torture.

26. **Ms. Racu** (Country Rapporteur), referring to training on the prevention of torture and ill-treatment, asked whether training on all provisions of the Convention for members of the judiciary, law enforcement bodies and prison staff was mandatory. She would be interested in finding out whether such training addressed the real needs of the target groups, and requested data on the precise number of people working within the judiciary, law enforcement bodies and prisons who had received such training, including training on the jurisprudence of the European Court of Human Rights on issues relating to torture.

27. She asked the delegation to inform the Committee: whether medical personnel treating detainees, and all other professionals responsible for documenting and investigating torture, received systematic training on the Istanbul Protocol; whether the effectiveness of such training was assessed and improved following assessment; whether law enforcement officials received adequate training on how to carry out their duties, such as on the use of force and crowd control; whether military personnel, intelligence officers and security guards were mandatorily trained on the prevention of torture and the use of force and, if so, how many had received such training; whether police and prison officers had to abide by a code of ethics; whether training programmes were available to familiarize public officials with the relevant legal provisions on all forms of violence against women in order to improve their response to such cases; and whether law enforcement officials, investigators and prosecutors had received training on combating human trafficking.

28. With regard to the functioning of the national preventive mechanism (NPM), she welcomed the recent amendments to the bill on the Human Rights Defender and asked when the National Assembly was expected approve it. She would also appreciate more information on the priorities and future activities of the recently established Expert Council on the Prevention of Torture and was particularly interested in finding out whether the Expert Council monitoring guidelines, covering inter alia psychiatric, military and childcare institutions, were currently in place in order to ensure the effective performance of the NPM.

29. The Committee remained concerned at reports of overcrowding in Armenian prisons. For example, recent studies by experts working for the Human Rights Defender had suggested that the problem of overcrowding was due to the readiness of courts to impose custodial sentences rather than alternative punitive measures. She asked the delegation: whether the draft regulations of the Probation Service had been approved; what measures were being taken to prevent overcrowding in prisons, reduce pretrial detention rates and increase the use of alternative measures; and whether statistical data were available on the percentage of cases in which non-custodial measures were applied.

30. The poor conditions in the vast majority of prisons in Armenia constituted another area of concern. Numerous NGOs had reported on such issues as inadequate sanitary conditions and medical care, corruption, limited water supply, poor ventilation of lavatory facilities, insufficient heating during winter and poor food. The specific needs of female prisoners were not being met in certain establishments, such as Abovyan prison, and female young offenders were detained together with adult women. She would like to know whether the State party had increased the budget for addressing the material needs of prisoners and, if so, by what amount.

31. According to a 2014 report by the Prison Monitoring Group, violent and degrading treatment of prisoners by prison officers and inter-prisoner violence were common in Armenia. Male homosexuals and sex offenders were particularly liable to suffer such ill-treatment. Violent clashes were a consequence of the criminal subculture that existed in Armenian prisons and certain reports suggested that such practices had led to suicides. The Committee would welcome: data on the number of violent incidents, suicides and cases of self-harm recorded in prisons during the reporting period; information on measures taken or programmes implemented to prevent such violence; more precise information on the legislative provisions contained in the new draft Penitentiary Code to prevent violence and self-harm among prisoners; and data on all reported cases of death in custody, including location, cause of death, results of investigations into the deaths, whether public officials had been found liable in any such cases, the independence of investigative bodies, the punishment of perpetrators and compensation offered to the relatives of the victims.

32. She expressed concern at the shortage of prison staff in Armenian prisons, which sometimes resulted in a prison officer working a 24-hour shift. Such a shortage reduced the possibility of direct contact between staff and prisoners, thereby increasing the risk of inter-prisoner intimidation and contributing to the general fatigue of staff. It also led to the delegation of authority to so-called prison leaders, which exposed weaker prisoners to the risk of exploitation by their fellow prisoners. She invited the delegation to provide data on the number of violent clashes that had occurred during the reporting period between staff and prisoners, and on the number of times the authorities had been required to intervene in emergency situations, such as attempted escapes and protests by prisoners.

33. The conditional release programme for prisoners remained a subject of concern. The Committee would like to be informed of any opportunities offered to prisoners to help them prepare for release programmes and any vocational training or work opportunities available for convicted persons.

34. Turning to the issue of medical care in prisons and police facilities, she requested information on: legislative or systematic measures to ensure the timely and effective screening of prisoners upon arrival; the confidentiality of medical examinations and the reporting of injuries by prisoners to the relevant authorities; and the independence and impartiality of health-care staff working in police facilities.

35. Other problems relating to health-care services for prisoners included the shortage of medical staff in prisons, absence of free health care for prisoners although that was guaranteed by the State, lack of adequate medical instruments and equipment, poor access

to psychiatric care, and the shortage of continuous training programmes for health-care personnel on the diagnosis and treatment of prisoners. Given the lack of reliable data on health-care provisions for prisoners, she invited the delegation to provide information on the mortality and morbidity rates of prisoners, the treatment offered to drug addicts in prisons, the incidence of tuberculosis among prisoners during the reporting period, the treatment that such prisoners received, and policies in place to prevent and reduce the incidence of infectious diseases, HIV and drug use.

36. The situation concerning persons sentenced to life imprisonment had not improved since the consideration of the State party's previous report. The Committee remained concerned at the medical care offered to such prisoners, the lack of outdoor activities available to them and their poor living conditions. She asked: how frequently persons sentenced to life imprisonment received medical examinations, including psychiatric assessments; whether they received proper medication and were hospitalized when necessary; what measures the State party intended to take in order to improve the prison regime and detention conditions of such prisoners; and whether any such persons had been transferred to the newly built Armavir prison.

37. With regard to complaint mechanisms, she questioned the effectiveness of the SIS, particularly in the light of the fact that it was often not involved in the preliminary inquiries into allegations of ill-treatment of detainees by police officers. The Committee would appreciate statistics on how many criminal or disciplinary proceedings had been instituted ex officio in relation to alleged ill-treatment or torture, by the police. She reminded the delegation that it was necessary for the SIS to report publicly not only on pending investigations into allegations of torture, but also on the outcomes of such investigations.

38. As to juvenile justice, she noted the absence of juvenile courts, specially appointed judges to deal with cases involving juveniles, State-run rehabilitation centres for young offenders and specialized units for the criminal prosecution of cases involving juveniles. Although progress had been made in education on juvenile justice within the judiciary, the Committee would recommend the introduction of training courses for members of the judiciary on specific topics, such as the procedure for conducting interrogations of child victims, witnesses or offenders. She reminded the delegation that all professionals working in the juvenile justice system should be trained in the relevant international standards.

39. She commended the State party for enacting a law on probation, which contained safeguards for juveniles. Recent amendments to introduce standards for the interrogation of juveniles who witnessed or were victims of an offence and to prevent them from further victimization were very welcome developments, but it was regrettable that their adoption should be so slow. Legal reforms notwithstanding, there remained a concern that the new policies would not be put into effect. Moreover, there were no special treatment schemes for juveniles or State-run rehabilitation services. As a result of the system's shortcomings, juveniles in conflict with the law who had not received the necessary support went on to reoffend as adults at alarming rates. She asked: how many juveniles were currently being detained, either on remand or as convicted offenders; whether they were placed in solitary confinement as a disciplinary measure and, if so, for how many days; whether there were plans to introduce alternative, more age-appropriate disciplinary measures; what measures were in place to encourage good behaviour among juvenile prisoners; and what educational, vocational, leisure and rehabilitation programmes were available to them to reduce recidivism and promote socially acceptable behaviour.

40. Given reports that psychological violence and ill-treatment remained systematic in residential care institutions, she wished to know whether referral and protection mechanisms had been set up, whether there was a policy on the deinstitutionalization of children, whether NGOs had access to such institutions and why the Helsinki Citizens'

Assembly had been denied permission to monitor the special school attached to the Ministry of Education and Science.

41. Given that it was not mandatory for law enforcement agencies to use audio or video recording equipment during interrogations, she recalled that such equipment was an important anti-torture tool and asked whether the Criminal Procedure Code would be amended to make the audiovisual recording of interrogations compulsory.

42. In addition to the development of a mechanism for the reparation of non-pecuniary damage in 2015, what other steps had the authorities taken to enforce the right of torture victims to redress, fair compensation and rehabilitation? It was unfortunate that the State party had not provided any data on the number of compensation requests, the number and amount of compensation packages awarded by the courts and the amount actually disbursed, or information on the treatment and rehabilitation offered to victims. It was also regrettable that there were no State-funded centres providing multidisciplinary rehabilitation services or immediate plans to establish a mechanism for comprehensive compensation. Might such compensation and rehabilitation systems be set up and, if so, when?

43. The Committee welcomed the adoption of regulations on the identification of, and provision of assistance to, victims of trafficking and exploitation, the establishment of an inter-agency council against trafficking and exploitation, and the provision of multifaceted assistance to victims wishing to return to Armenia. However, the Committee remained concerned about the lack of preventive measures aimed specifically at women and about the stigma suffered by women victims of trafficking, which hindered their social reintegration. She requested data on investigations into cases of trafficking, disaggregated by age, gender and ethnicity. She asked whether judges, prosecutors, police officers and immigration officials had received any training in how to apply the provisions on the prosecution of traffickers and in gender-sensitive approaches to victims of trafficking. She enquired about the specialized support provided to trafficking victims.

44. It was regrettable that LGBT persons continued to face discrimination, harassment and physical violence, that the Government had yet to take steps to address hate speech or discrimination against LGBT persons and ensure their safety, and that gender identity and sexual orientation were not included in anti-discrimination or hate speech laws, thereby limiting legal recourse for many crimes against LGBT persons. Drug users, persons with psychosocial disabilities and members of the LGBT community had difficulty accessing justice and tended to be assigned ad hoc public defenders, often at the last minute. Moreover, judges did not take into account the specific features of cases involving such individuals. Given the above, she wished to know the status of the equal rights law and asked what other steps the State party intended to take to combat discrimination and promote tolerance.

45. There were numerous reports that cases of hate speech and incitement to violence against activists and journalists were not adequately investigated and that, when human rights defenders reported abuse at the hands of the police, they were charged with perjury, failure to comply with lawful police demands and violence against the authorities. Recalling that the State had a duty to protect the rights of human rights defenders and journalists, she requested further information on investigations into claims made by those groups and asked what steps the State party intended to take to ensure that they were protected from acts of intimidation and violence.

46. **Mr. Bruni** commended the State party for submitting its report well ahead of the deadline. He requested further information on the e-penitentiary system to reduce corruption as mentioned in paragraph 30 of the report.

47. **Ms. Gaer** commended the State party for its leading role in the General Assembly in pressing for the recognition of victims of genocide. She asked what the time frame was for

the enactment of the bill on domestic violence and why the number of criminal proceedings in cases of domestic violence had doubled while the number of incidents had remained fairly constant. She wished to know the status of the investigation into the deaths of protesters in 2008 and enquired whether the victims had received any reparation.

48. Drawing the delegation's attention to the cases of Silva Arshakyan and Momik Vardanyan, mentioned in the annex to the joint submission by the Partnership for Open Society, she asked whether any investigation had been conducted and whether their cases were indicative of a larger pattern of harassment against persons who attempted to visually document events. Information on any of the cases contained in the annex would be appreciated. She invited the delegation to comment on suicides among military recruits, allegedly resulting from intimidation and hazing.

49. **Ms. Belmir**, noting that judicial power appeared to be shared between the President, the Constitutional Court and the Council of Justice, requested further explanations of how the judicial branch functioned and, in particular, how its independence was guaranteed. Although the state of emergency, including non-derogable rights, was provided for under the Constitution, the manner in which it had been enforced in 2008 did not seem in keeping with the Convention. She invited the delegation to comment on the finding by the Committee on the Rights of the Child that child victims and witnesses were not always adequately protected during proceedings and had even been fined, that there were no juvenile courts and that young offenders were sometimes held for long periods, and even in isolation.

50. **Mr. Zhang** commended the State party for its efforts to strengthen the legal framework for protection against refoulement, including an explicit ban on deportation when the person concerned faced a real risk of treatment contrary to the Convention. He welcomed the introduction into refugee and asylum law of provisions regarding asylum seekers with special needs, such as victims of trafficking, torture and rape. He asked whether the State party might consider regularizing the situation of individuals who were eligible for protection against refoulement under international law but did not fall under the domestic definition of refugee. It could consider establishing a mechanism to ensure that detainees in need of international protection had access to asylum procedures and taking steps to ensure that refugees and asylum seekers were not detained or prosecuted for illegally entering the country.

51. **The Chair** requested information on the wages of lower-ranking police officers and prison guards, and asked whether they were sufficient to ensure a decent standard of living for themselves and their families. He also wished to know the results of the investigation into the three suicides by hanging that had occurred at Armavir prison in December 2015 and January 2016. He enquired who had been charged and with what offence in relation to the suicide at the prison hospital in August 2016.

52. Lastly, was merging the Special Investigation Service with the Investigative Committee and the investigative branch of the tax authority really intended to strengthen the Service?

The meeting rose at 12.45 p.m.