



# Convention on the Rights of the Child

Distr.: General  
16 May 2013

English only

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## Committee on the Rights of the Child

Sixty-third session

27 May–14 June 2013

### Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

List of issues to be taken up in connection with the consideration of the  
initial report of Armenia (CRC/C/OPSC/ARM/1)

Addendum

Written replies of Armenia\*

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been edited.

**Reply to the issues raised in paragraph 1 of the list of issues  
(CRC/C/OPSC/ARM/Q/1)**

1. The relevant governmental departments are responsible for the coordination, monitoring and implementation of the Optional Protocol, within the framework of their competence, in accordance with the international obligations assumed by the Republic of Armenia and the procedure provided for by Article 52 of the Law of the Republic of Armenia “On International Treaties”. At the same time, the general coordination of the mentioned activities is carried out by the Police of the Republic of Armenia.

**Reply to the issues raised in paragraph 2 of the list of issues**

2. The 2010-2012 National Programme on the Fight against Human Exploitation (Trafficking) was developed on the basis of the United Nations Convention against Transnational Organized Crime, its two Protocols and requirements set in the provisions of the Council of Europe Convention on Action against Trafficking in Human Beings. These are the main documents related to trafficking that have been ratified by Armenia.

3. The measures have been undertaken in three strategic directions, that is elimination, prevention of trafficking and assistance.

4. The 2004-2015 National Action Plan for the Protection of the Rights of the Child is broader and inclusive in terms of its ideology and is targeted at the fulfilment of other international commitments.

5. Overall, these are preventive programmes that are aimed at ensuring the social protection of children left without parental care.

6. Such is the programme “State support to alumni of child care organisations of the Republic of Armenia”.

**Reply to the issues raised in paragraph 3 of the list of issues**

7. Over the past years, the Police of the Republic of Armenia and the latter’s information centre have been preparing individual statistics registering all the types of crimes listed.

**(a) Reported cases of sale of children, child prostitution and child pornography, as well as other forms of exploitation, including child labour**

8. The Police of the Republic of Armenia, through its Department of Public Relations and Media, provides coverage on each case related to a minor, without identifying the latter, including in collaboration with journalists. Criminal cases are instigated for all the above mentioned cases and offenders are subjected to criminal liability. It should be taken into account that there is an aggravating circumstance for the crimes committed against minors.

9. All children subjected to exploitation, starting from the moment of detection, receive necessary support.

10. Minors receive psychological and medical assistance, resumes the learning process, and if necessary, the child is referred to a shelter for the determination of the latter’s future destiny, that is either return to the family or accommodation at the institution of care and protection.

**(b) Cases where children are offered and delivered for any purpose of prostitution, engagement in forced labour, illegal adoption to organ transfer or pornography**

11. In order to avert such practices, both preventive and early identification efforts are implemented by the Police of the Republic of Armenia. In the event of disclosure of these

crimes, the victim is provided with rehabilitation services, that is psychological, social, etc., and the respective articles of the criminal code apply to the abuser. It should also be mentioned, that no cases of organ transfers have occurred in Armenia.

(c) **Child victims who have been provided with assistance for the purposes of reintegration or have received any type of compensation**

12. In all cases, where minors were victims of pornographic practices or trafficking, they were provided with psychological assistance, were referred to rehabilitation centres, and provided with a solution to the issue of their social and educational support.

**Reply to the issues raised in paragraph 4 of the list of issues**

13. Within the scope of the programme on the fight against trafficking numerous awareness programmes designed both for children and teachers, as well as for the staff of child care institutions have been implemented in the country.

14. It is noteworthy, that the policies adopted by the Police of the Republic of Armenia are tailored to cover and raise awareness on issues of child trade, child prostitution and child pornography, duly disseminate the Optional Protocol and are targeted to the prevention of such cases.

15. Such activities are conducted in places ranging from educational and special establishments to higher education institutions and the general public.

**Reply to the issues raised in paragraph 5 of the list of issues**

16. Employees of the subdivision on issues of minors, functioning within the system of the Police of the Republic of Armenia, undergo training courses with assistance of psychologists who give police officers knowledge and skills on how to deal with and how to help children that have been victims of crime.

17. Meanwhile, given the circumstance that women have a more compassionate attitude towards minors, it should be noted that today almost 30 percent of employees working in the subdivision on issues of minors of the Police of the Republic of Armenia are women.

**Reply to the issues raised in paragraph 6 of the list of issues**

18. The subdivision on issues of minors within the Police of the Republic of Armenia, as well as the officers of Community Police created within the framework of reforms in the Police of the Republic of Armenia, within the scope of performing their daily responsibilities during site visits and other activities find children from the risk group having become crime victims. Prevention activities comprise an important part of this process which leads to the detection of poor, lone children and those beyond special establishments who possibly may become crime victims. In cooperation with interested ministries, various local and international organisations, these children are provided with different social, educational, psychological and other services.

**Reply to the issues raised in paragraph 7 of the list of issues**

19. With regard to the criminalization of illegal adoption, Chapter 20 of the Criminal Code of the Republic of Armenia completely covers crimes against the interests of the family and the child. Article 168 of this Chapter envisages another form of trafficking in children; namely, the sale of a child for purposes of transferring the child to the care of the person undertaking the care, which shall be punished by imprisonment for a term of two to five years and where there are aggravating circumstances provided for in the Article — shall be punished by imprisonment for a term of four to eight years.

**Reply to the issues raised in paragraph 8 of the list of issues**

20. In the Republic of Armenia child pornography is criminally punishable. Criminally punishable acts are the following: engaging minors in creation of pornographic computer programs, film and video materials, images or other objects of pornographic nature, as well as introduction of child pornography through a computer system or storage of child pornography in a computer system or in a computer data-storage system (part 2 of Article 263 of the Criminal Code of the Republic of Armenia), as well as engaging a child — by a person having attained the age of 18 — in conducting actions related to pornography or to preparing materials or objects of pornographic nature.

**Reply to the issues raised in paragraph 9 of the list of issues**

21. Part 3 of Article 14 of the Criminal Code of the Republic of Armenia stipulates, that the liability of a person that commits a criminal offence within the territory of the Republic of Armenia and other States shall ensue under the Criminal Code of the Republic of Armenia where he was brought to liability within the territory of the Republic of Armenia and unless otherwise provided for by international treaties of the Republic of Armenia. A person having committed a criminal offence on board the ship under the flag of the Republic of Armenia or carrying distinguishing emblem of the Republic of Armenia or on board the flying airplane or other air device — irrespective of its location — shall be subject to criminal liability under the Criminal Code of the Republic of Armenia unless otherwise provided for by international treaties of the Republic of Armenia. A person having committed a criminal offence on board the military ship or airplane of the Republic of Armenia — irrespective of its location — shall be also subject to liability under the Criminal Code of the Republic of Armenia.

**Reply to the issues raised in paragraph 10 of the list of issues**

22. Where there is no bilateral agreement concluded, the Optional Protocol ratified by two states shall serve as a legal ground for exile of the alleged criminal offender.

**Reply to the issues raised in paragraph 11 of the list of issues**

23. In the Republic of Armenia, every legal person, citizen or organisation is held criminally liable pursuant to respective elements of articles of the Criminal Code of the Republic of Armenia if any of the following is disclosed: sale of and traffic in children (Article 168), contributing to pornography practices (part 3, Article 262), illicit dissemination of pornographic materials or objects (part 2, Article 263).

**Reply to the issues raised in paragraph 12 of the list of issues**

24. Pursuant to Legislation of the Republic of Armenia, victims of human traffic, child prostitution and child pornography are not subjected to criminal or administrative liability. They are conversely provided with multi-faceted assistance.

**Reply to the issues raised in paragraph 13 of the list of issues**

25. Children subjected to violence and sexual exploitation are provided with necessary assistance. Where appropriate, their placement in the Child assistance centre is ensured, thus, granting them access to legal assistance, as well as to that of a psychologist and a social worker. If necessary, they are referred to Community rehabilitation centres, where services on psychological recovery and social reintegration are ensured.

## Annex

### Statistics

<i>2010</i>	<i>2011</i>	<i>2012</i>
Article 132	Article 132	Article 132
Registered 1	Registered 2	Registered 1
Feminine 1	Feminine 2	Feminine 1
Masculine 0	Masculine 0	Masculine 0
Nationality: Armenian	Nationality: Armenian	Nationality: Armenian

<i>2010</i>	<i>2011</i>	<i>2012</i>
Article 1321	Article 1321	Article 1321
Registered 2	Registered 3	Registered 3
Feminine 2	Feminine 3	Feminine 3
Masculine 0	Masculine 0	Masculine 0
Nationality: Armenian	Nationality: Armenian	Nationality: Armenian

<i>2010</i>	<i>2011</i>	<i>2012</i>
Article 168	Article 168	Article 168
Registered 1	Registered 2	Registered 2
Feminine 1	Feminine 0	Feminine 1
Masculine 0	Masculine 2	Masculine 1
Nationality: Armenian	Nationality: Armenian	Nationality: Armenian

<i>2010</i>	<i>2011</i>	<i>2012</i>
Article 262 part 3	Article 262 part 3	Article 262 part 3
Registered 2	Registered 2	Registered 0
Feminine 2	Feminine 2	Feminine 0
Masculine 0	Masculine 0	Masculine 0
Nationality: Armenian	Nationality: Armenian	Nationality: Armenian

<i>2010</i>	<i>2011</i>	<i>2012</i>
Article 263 part 2111	Article 263 part 2	Article 263 part 2
Registered 1	Registered 1	Registered 2
Feminine 0	Feminine 1	Feminine 1
Masculine 1	Masculine 0	Masculine 0
Nationality: Armenian	Nationality: Armenian	Nationality: Armenian

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