



**Convention on the
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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Second periodic reports of States parties due in 2000

ARMENIA*

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Introduction

1. Armenia's initial report on its compliance with the provisions of the Convention on the Rights of the Child was considered by the Committee on the Rights of the Child at its 603rd and 604th meetings, held on 20 January 2000.
2. The present report has been prepared in accordance with the guidelines developed by the Committee for the submission of reports and on the basis of information provided by the relevant ministries and departments concerned with children's issues.
3. The first part of the report contains general information about the country and its population, the political system, economic development and other matters.
4. The report refers to those statutes and subsidiary legislation which have been adopted by Armenia in compliance with its obligations under the Convention.

I. INFORMATION ABOUT THE COUNTRY

A. Geography

5. The Republic of Armenia lies in the north-east of the Armenian plateau, where the continents of Europe and Asia meet. Armenia has an area of 29,800 sq km and borders Turkey to the west, Georgia to the north, Azerbaijan to the east and the Islamic Republic of Iran to the south. The country is rich in natural and mineral resources and has deposits of gold, copper, molybdenum, zinc, aluminium and other minerals. There are also large deposits of building stone.
6. The history of the Armenian State dates back several thousand years before the Armenians' adoption of Christianity (301 AD) and the invention of the Armenian script (405 AD). The year 2001 marks the 4,494th year in the Armenian traditional calendar, which runs from the reign of King Aik, founder of the Armenian State. The history of the Armenian people accordingly extends over a number of millennia. The first proto-State on the territory of modern-day Armenia was the State of Urartu, or Ararat, formed in the ninth century BC. Over the period from the sixteenth to the eighteenth centuries, Armenia was divided between Persia and the Ottoman empire. In the early nineteenth century, Armenia's eastern districts were annexed by the Russian empire. The Armenian population that was incorporated in the Ottoman empire were the victims of massacres under Sultan Abdul Hamid, in 1894-1896, and under the Young Turk regime in 1915-1920. The date 24 April 1915 commemorates a tragic event for Armenians: the unleashing of the genocide of the Armenian people in the Ottoman empire. This deliberate policy pursued by the Ottoman Turkish rulers resulted in the vicious slaughter of more than 2 million Armenians living in western Armenia.
7. The most recent period of Armenian history dates from the restoration of Armenian statehood in 1991, when, following the collapse of the Soviet Union and on the basis of a national referendum, Armenia proclaimed its independence. After the collapse of the USSR, however, the Republic of Azerbaijan seized weapons left behind by the Soviet army and used

them to launch a war aimed at wiping out the civilian population of Karabagh. Karabagh is one of the historical territories of Armenia and was annexed to Azerbaijan by the Soviet authorities in the early 1920s.

8. The League of Nations document adopted in November 1920 on this matter states that this territory, which measures 40,000 square kilometres, had never previously been a separate State but had always formed part of large groups of territorial possessions, such as those of the Persians and the Mongols, and since 1813 had formed part of the Russian empire. The same source notes that the name “Azerbaijan”, taken as the name of the new republic, was the name of the adjacent province of Persia.

9. Thus, it was only in 1918 that the Musavatists, the leaders of the Turks of eastern Transcaucasia, proclaimed the Azerbaijani Republic in pursuance of Turkey’s expansionist ambitions. Their aim was to give substance to the historical rights of the Turks both to the entire Transcaucasian region and to Persian Azerbaijan. During the period of Soviet expansion, plans to export revolution to the east included the task of establishing a powerful outpost in Azerbaijan - a sort of bridgehead for socialism in the region. Thus, on 5 July 1921, a resolution was adopted by the Caucasus bureau of the Bolshevik Party on the annexation of Karabagh to Azerbaijan. That resolution, whatever its other merits or faults, was the only basis for including Karabagh “within the territory” of the Azerbaijan Soviet Socialist Republic. It is clear from this that Karabagh was never part of independent Azerbaijan.

10. Throughout the Soviet era, Azerbaijan pursued an undeclared policy of squeezing out Armenians and assimilating other non-Turkic peoples. By the 1970s, the Armenians had virtually been completely driven out of Nakhchivan. As part of the policy of ethnic cleansing, in 1988 pogroms were mounted against the Armenians, first in Sumgayit and then in Baku. In spring 1991, Soviet troops launched their vicious punitive operation, code-named “Operation Ring”, against Karabagh. The war unleashed by Azerbaijan against Karabagh led to the flight of 400,000 Armenians from Azerbaijan. Many of these were given shelter in and around the town of Spitak, literally only a few days before the earthquake in this area. The tragic consequences of the earthquake were further exacerbated by the blockade imposed by Azerbaijan and Turkey; naturally, all this was bound to have an effect on the general situation in the country, which was particularly severe for the more vulnerable population sectors: women, children and the elderly.

B. State structure

Government

11. Armenia has the following political structure:

Form of government: Republic;

Administrative divisions: 11 provinces (“marzes”);

Constitution: adopted by popular referendum on 5 July 1995;

Executive: head of State - President;

Legislature: single-chamber parliament - National Assembly (131 seats);

Judiciary: courts of first instance, appeal courts, court of cassation and constitutional court.

C. Economy

12. During the Soviet era, Armenia extensively developed its industrial sector, which supplied a range of goods to the other Soviet republics and to countries abroad in exchange for raw materials, energy and consumer goods.

13. Notwithstanding the serious economic crises caused by the Karabagh conflict and the blockade of Armenia, in 1994 the Government of Armenia, working together with the International Monetary Fund, was already able to implement a series of economic reforms which helped stabilize the economy and stimulate its growth across the country. Among the country's economic achievements, we may cite the slowing of inflation and the privatization of a number of small and medium-sized enterprises. Since 1991, agricultural production has registered growth every year except 1993. Armenia was the first country of the former Soviet camp to privatize farmland, which it did as early as 1991.

14. Undeterred by the numerous problems in its path, the Government of Armenia launched a number of radical structural reforms designed to set in place a robust market economy. In its economic memorandum on Armenia, the World Bank praised the country's accomplishments, stating that it occupied first place among the former republics of the Soviet Union in terms of the progress that it had achieved over such a short period.

15. The Government is currently working along two main thrusts: to develop the necessary legislative framework for the creation of a market economy and to forge closer links with neighbouring countries.

16. Considerable progress has also been made in the banking system. Thus, in April 1993, the Government of Armenia adopted a range of banking legislation, notably, the Central Bank Act and the Banks and Banking Activity Act. The primary functions of the Central Bank are to coordinate relations with the Government and with parliament and, among other tasks, to exercise control over credit and finance operations at all levels.

D. Measures to enhance the situation of children in Armenia

17. Traditionally, Armenian families have always been very child-oriented. The welfare of children has always been a central concern of the Armenian State. Accordingly, one of the first multilateral agreements to which the Republic of Armenia became a party was the Convention on the Rights of the Child, which it ratified on 1 June 1992. State policy is designed to protect the interests of the family and a number of special measures have been developed to ensure the protection of families in which the parents are divorced and families which have children born out of wedlock or adopted children.

18. On 29 May 1996, the National Assembly adopted the Children's Rights Act. On 6 July 1994, the President of Armenia signed the World Declaration on the Survival, Protection and Development of Children and, on 28 March 1996, a decree on protection of the mother and child. In 1999, pursuant to decision No. 42 of the Prime Minister of Armenia, dated 26 January 1999, on the establishment of a national commission to coordinate work with juveniles, a body was set up to coordinate the affairs of children deprived of parental care. This body monitors efforts to improve the social situation of such children and also works to prevent vagrancy and begging among juveniles. It was also decided to establish, where necessary, comparable bodies under the local authorities throughout the country.

19. In 1997, an office on family, women's and children's affairs was set up as part of the Ministry of Social Welfare. This office has wide-ranging tasks, which include developing policies to improve the social position of women and to uphold the rights of children, elaborating and implementing programmes to improve the living conditions of children under State care, and setting in place a procedure for the adoption of orphaned and abandoned children and their placement in adoptive families. In addition, the office supports efforts to establish and strengthen the material infrastructure of children's homes, organizes day-to-day activities for children, and contributes to the provision of medical, psychological and other forms of assistance.

20. In 1998, the Government of Armenia, through its ministries of foreign affairs, health, social welfare, and science and education, and with support from the United Nations Children's Fund (UNICEF-Armenia), produced and published a report analysing the situation of women and children in Armenia. This report was prepared in line with the relevant articles of the Convention on the Rights of the Child and the World Declaration on the Survival, Protection and Development of Children.

21. On the basis of that analysis, in 1999 the Ministry of Health drafted a document on the priorities and strategy for protecting the health of mothers and children, which was then ratified by its board, setting out the basic tasks and areas for work to protect the health of children and women and to provide them with medical assistance.

22. The following areas were identified as priorities:

- (a) Improving the reproductive health of women, including through family planning services;
- (b) Improving perinatal medical care;
- (c) Improving the situation regarding breastfeeding;
- (d) Preventing controllable infections;
- (e) Improving the nutritional status of children and women;
- (f) Stepping up primary health-care services;
- (g) Improving the situation regarding the medical and social rehabilitation of disabled children.

23. An analysis of the health status of women and children prepared by the Government and UNICEF in 1998 was used as the basis for the development of strategies and a number of special programmes, which are still under way, with the following goals:

- (a) Reducing maternal mortality;
- (b) Reducing child mortality;
- (c) Reducing the incidence of low birth weight;
- (d) Raising the level of breastfeeding;
- (e) Improving the nutritional status of children under 5, pregnant women and nursing mothers;
- (f) Safeguarding achievements in the campaign against controllable infectious diseases and endeavouring to improve the situation still further;
- (g) Improving the system of outpatient services and polyclinics and introducing the new World Health Organization (WHO)/UNICEF strategy on the integrated management of childhood illnesses;
- (h) Improving disabled children's rehabilitation services.

II. GENERAL MEASURES OF IMPLEMENTATION **(arts. 4, 42 and 44, para. 6, of the Convention)**

24. Pursuant to the requirements of article 4, Armenia has taken the necessary legislative, administrative and other steps to implement the Convention. Thus, the Armenian Constitution guarantees protection of the fundamental rights and freedoms of citizens in accordance with the norms of international law. In order to ensure that children's rights are fully upheld in Armenia, the following statutes have been enacted and have entered into force since the country gained independence: the Children's Rights Act, the Civil Code, the Code of Civil Procedure, the Code of Criminal Procedure, the Citizenship Act, the Copyright and Neighbouring Rights Act, the Medical Assistance and Services Act, the Education Act, the Military Servicemen and Their Family Members (Social Welfare) Act, the Disabled Persons (Social Welfare) Act, the Refugees Act, the Urban Planning Act, the Military Conscription Act, the Language Act, the Freedom of Conscience and Religious Organizations Act and the State Pensions Act. On 30 November 2000, Armenia signed up to the decision adopted by the Commonwealth of Independent States on child welfare in its member States. Under this decision, the member States of the Commonwealth must give priority to establishing and developing appropriate arrangements and coordination bodies in their own countries.

25. In order to bring Armenian legislation into line with the Convention, a comparative analysis of Armenia's domestic law and the Convention norms was carried out in 1999.

26. Efforts continue in Armenia to establish a legislative framework to ensure protection of the rights of children. In particular, work continues on the development of family law. One of the main principles underpinning the country's family law where it relates to children's rights is

the priority to be given to the family upbringing of children, concern for their well-being and development, and the upholding of their rights and interests. Accordingly, one of the main thrusts of this new family law will be to treat children as persons recognized by the law in their own right, and not merely as dependent on their parents' authority. The corresponding norms will be based on the fundamental principle of the legal status of the child within the family, and this will be determined from the point of view of the child's own interests, rather than that of the rights and duties of the parents.

27. Provision will be made for the following fundamental rights of children:

- (a) To live and be raised in a family (the child's own or an adoptive family);
- (b) To know their parents, to the extent that this is possible;
- (c) To express their opinion on all issues relevant to their lives: this right will be enshrined in appropriate articles with the wording: "with the consent of a child which has attained the age of 10";
- (d) To be cared for and raised by their own parents and, where there are no such parents, by other responsible persons;
- (e) To protection of their interests, all-round development and respect for their human dignity;
- (f) To have contact with their parents and with other relatives;
- (g) To protection of their rights and legitimate interests, including the right to appeal for protection of their rights to the authorities responsible for tutelage and guardianship and, on attaining the age of 16, to the courts;
- (h) To have a surname;
- (i) To receive maintenance and the title to property which belongs to them.

28. For the first time, the country's family law will provide safeguards protecting children from violence within the family. In this connection, the legislation will stipulate that the means of raising children, which parents shall be at liberty to determine for themselves, must exclude any form of neglect, cruel, harsh or degrading treatment, insults, or exploitation. The rules relating to the deprivation of parental rights will be stiffened. Where parents have been stripped of their parental rights, the child's consent will be required before those rights can be restored in the case of children who have reached the age of 10. The arrangements for the court-ordered restriction of parental rights will also be further developed. Provision will also be made for the immediate removal of children from their parents in cases where there is a direct threat to their health and lives within the family.

29. Detailed regulations will be developed on the rights and duties of parents relating to the upbringing and education of children, and the protection of their rights and legitimate interests. With a view to upholding the rights and interests of children in families, the idea of the equal

rights of both parents will be extensively promoted, irrespective of whether both parents live with the child or not. In addition, for the first time in Armenian law, recognition will be accorded to the parental rights of under-age parents. A special section will be devoted to legal aspects of the raising of children deprived of parental care. Priority will be given to the raising of such children within families. Detailed regulations will also be developed regarding the various forms of family upbringing, including adoption, tutelage and guardianship and placement in foster families.

30. In order to improve the country's domestic legislation, bills will be drafted incorporating the most important international norms.

31. Issues relating to children's rights will be debated in the National Assembly during the adoption of relevant draft bills on aspects of such rights.

32. Non-governmental organizations are actively involved in children's rights issues. Thus, in 1999, an alternative report on implementation of the provisions of the Convention on the Rights of the Child was prepared and published by a number of Armenian non-governmental organizations, with financial support from UNICEF.

33. A new humanitarian assistance division has been established within the Ministry of Social Welfare, with responsibilities that include cooperation with international charitable organizations, specifically through the conclusion of contracts with such organizations on the provision of aid and the conduct of humanitarian assistance programmes for the most needy population sectors. These programmes vary widely in their form, ranging from food aid to funding assistance. Thus, during 1999 and 2000, the United Nations carried out seven humanitarian assistance programmes, in conjunction with the Ministry of Social Welfare and in the framework of the World Food Programme, as part of a general assistance programme for needy families, with a total value of 2,037,808,202 drams. In all, 534,357 families benefited from this assistance.

34. In 2000, the League of Armenian Voluntary Associations was set up under the Ministry of Social Welfare, as an umbrella body for non-governmental organizations. A large number of these are involved with children's issues and carry out a range of assistance programmes for children and their families, including:

- (a) Social rehabilitation and integration of disabled children;
- (b) Organizing summer holidays for children from low-income families and disabled children;
- (c) Social rehabilitation of deprived and homeless children and child beggars.

35. The Convention on the Rights of the Child has been translated into Armenian and widely disseminated both among the general public and to specialists. The Convention has also been incorporated in a compilation of international human rights instruments published in Erevan in 1997, with support from the United Nations Human Rights Centre. A number of international

instruments and illustrated guides on human rights have been translated into Russian and Armenian, including brochures on the rights of the child, an easy-to-use manual on civil rights and a number of other publications.

36. Armenia's report was published as a separate booklet by the Areg publishing house in 1998 and widely disseminated.

37. The concluding observations of the Committee on the Rights of the Child relating to Armenia's report have been circulated to all the relevant State authorities and to non-governmental organizations involved with children's rights issues.

38. As part of its implementation of children's health programmes, the Ministry of Health is engaged in cooperation with a number of international organizations, including:

(a) WHO Regional Office for Europe. This cooperation covers special programmes in support of breastfeeding, to combat diarrhoeal diseases and acute respiratory infections, to improve reproductive health, on immunization and in other areas;

(b) UNICEF, which is providing very substantial support to all integrated programmes in such areas as promoting breastfeeding, immunization, combating acute diarrhoeal and respiratory diseases, safe motherhood and so on;

(c) United States Agency for International Development, in support of the immunization and breastfeeding programmes;

(d) United Nations Population Fund, in extending the reproductive health programme throughout the country;

(e) Médecins sans frontières (Belgium), in the conduct of a family planning programme;

(f) United Methodist Committee on Relief (UMCOR, United States), in carrying out the family planning programme and a programme to prevent sexually transmitted diseases;

(g) Marseilles-based Armenian-French Medical Union, working in cooperation with the Centre for Perinatal Medicine, Obstetrics and Gynaecology, in setting up an in vitro fertilization centre and an endoscopic surgery programme;

(h) Howard Karagozian Association, of the United States of America, in a children's dentistry programme;

(i) Aznavour Arménie (France), in conducting a child-feeding programme.

III. DEFINITION OF THE CHILD (art. 1)

39. Under Armenian law, the age of majority is 18. Thus, in terms of the provisions of its article 1, the Children's Rights Act applies to persons in Armenia up to the age of 18. Article 2 of the same act states that children's rights in Armenia shall be determined by the Constitution, by international treaties to which Armenia is a party, by the act itself and by other laws and

regulations of Armenia. In addition, article 6 of the Constitution states that international treaties entered into by Armenia shall come into effect only upon ratification, that ratified international treaties shall form an integral part of the country's legal system and that, if they establish norms different from those provided in Armenia's own laws, the norms of the treaties shall prevail. In other words, international treaties ratified by Armenia have precedence. The same article of the Constitution stipulates that the Armenian Constitution is the country's supreme legal instrument and that its provisions are self-executing.

40. The Armenian Civil Code, in article 24, paragraph 1, stipulates that citizens shall be able, through their acts, to acquire and exercise civil rights, to enter into civil obligations and to perform such obligations. Civil legal capacity is fully acquired on the age of majority, in other words, on attaining the age of 18. All other cases are exceptions covered by special regulations (art. 24, paras. 2 and 3). Thus, the Code establishes that juveniles aged 16 and over may be considered to have attained full legal capacity if they are working under a contract of employment or are engaged in entrepreneurial activity with the consent of their parents, adoptive parents or guardian.

41. Juveniles may be recognized as having full legal capacity (emancipation) by decision of the tutelage and guardianship authorities, with the consent of both parents, adoptive parents or the guardian, or, in the absence of such consent, by a decision of the court. Parents, adoptive parents and guardians shall not be responsible for the obligations of minor children who have been recognized as possessing full legal capacity, including for obligations arising from any harm caused by such children.

42. Armenian legislation does not explicitly state the minimum age at which minor children have the right, without the consent of their parents, to receive legal assistance. This right does, however, flow from the entire corpus of law of Armenia. Thus, where up to the age of 14 children have the right to receive such assistance through their legal representatives (parents, adoptive parents or tutors), after that age, under the country's criminal law, when children are the subject of legal proceedings, they are entitled to defence counsel. In Armenian civil legislation, this issue has been partially addressed by article 24 of the Civil Code. Since legal assistance in civil matters is usually provided for a fee, children are unable independently to receive such assistance.

43. Article 7 of the Children's Rights Act stipulates that every child shall have the right to health care and a healthy life. The relevant State authorities shall ensure that free medical services are available to children and shall conduct special State programmes designed to ensure children's health care. The Medical Assistance and Services Act, adopted in April 1996, stipulates that persons under the age of 18 or persons who have been officially recognized as lacking in legal capacity may be informed about their state of health and also have the right, with the consent of their lawful representative, to medical intervention (art. 7). If such medical intervention cannot be postponed or if the child's legal representative is not available, the decision about such medical intervention shall be made, in the interests of the patient, by a medical board or, where that is not possible, by the doctor (art. 8).

44. Under the Education Act, children remain in general education until the age of 16. In article 18, paragraph 7, the Act states that basic general education is compulsory and that children must remain in basic general education until the age of 16, unless they have completed the basic general education course earlier.

45. In article 198, the Code of Labour Legislation sets the minimum age for employment at 16. In exceptional cases, however, children aged 15 may be taken into employment (Children's Rights Act, art. 19).

46. Minors (persons under the age of 18) have the same rights as persons of majority age in their labour relations and, with regard to job security, working hours, leave and certain other employment conditions, enjoy certain advantages established by the country's labour legislation (Code of Labour Legislation, art. 199).

47. The employment of persons under the age of 18 in heavy labour or in jobs involving hazardous or harmful working conditions, or underground, is prohibited.

48. Article 15 of the Marriage and Family Code sets the marriageable age for men at 18 and for women at 17. To be recognized, marriages in Armenia must be registered with the civil registration authorities. In cases where, under law, persons under the age of 18 are permitted to marry, such persons acquire full legal capacity from the moment of entry into marriage. Legal capacity acquired as a result of marriage is fully retained even in the event of the divorce of a minor spouse.

49. To protect the interests of a person below the marriageable age, that person's marriage may be declared invalid in legal proceedings brought by parents, tutors, guardians, the authorities responsible for tutelage and guardianship, and also by persons who have contracted such marriages provided they have reached the age of 18. In all cases, the tutelage and guardianship authorities must take part in the proceedings. When declaring a marriage invalid, the court may decide to revoke the full legal capacity of a minor spouse with effect from the moment the court takes its decision on that spouse's legal capacity.

50. Armenian legislation does not stipulate the minimum age of sexual consent, although article 117 of the country's Criminal Code establishes liability for engaging in de facto marital relations with a person below the marriageable age or a person who has not yet attained sexual maturity. Criminal liability is incurred for sexual relations with persons under the age of 17.

51. The Military Conscription Act, adopted on 16 September 1998, stipulates that youths aged between 16 and 18 and subject to military call-up shall be placed on the military conscripts' register. Entry in the conscripts' register is an obligation for all males who have reached the age of 16 (art. 5, para. 3, of the Act). Pre-call-up training is conducted in general education schools and in specialized secondary establishments, pursuant to article 8 of the Act. Under article 11 of the Act, males aged between 18 and 27 who are considered sufficiently healthy to serve in peacetime are subject to compulsory military service. The right to perform voluntary service is established by article 20, paragraph 3, of the above Act. Such service may only be performed, however, by persons who have already completed their compulsory military service and who are voluntarily continuing their service, under a relevant agreement. Women may also be enlisted in military service on a voluntary basis.

52. The minimum age of criminal liability in Armenia is 16. Under article 10 of the Criminal Code, persons who, at the moment of commission of an offence, have attained the age of 16 may be held criminally liable. Children aged 14-16 committing offences may incur criminal liability only for murder (arts. 99-103), the premeditated infliction of bodily harm and damage to health (arts. 105-108 and 109, part 1), rape (art. 112), assault with intent to rob (art. 88), theft (art. 86), robbery (art. 87), aggravated extortion (art. 94, part 3), riotous conduct and aggravated riotous conduct (art. 222, parts 2 and 3), the deliberate destruction or damaging of government or public property or the private property of citizens, with further serious consequences (art. 96, part 2), the theft of narcotic substances (art. 229), the theft of firearms, ammunition or explosives (art. 232) and the deliberate performance of acts capable of causing a train crash (art. 81).

53. Armenian law stipulates that persons who have not reached the age of 16 may, in exceptional cases, be called as witnesses. In such cases, these persons are not warned that it is a criminal offence to give evidence they know to be false or to refuse to give evidence. Article 43 of the Code of Civil Procedure and article 84 of the Code of Criminal Procedure cover aspects of the right to appear as witnesses and to give evidence in criminal and civil cases (up to the age of 14). Article 31 of the Children's Rights Act states that children may not be obliged to testify against themselves, their parents or close relatives and prohibits the use of force, threats or other unlawful acts against children for the purpose of coercing them to give evidence as witnesses or to confess their own offences. The questioning of witnesses under the age of 14 - or, should the investigating officer so decide, 16 - must be conducted in the presence of the child's legal representative.

54. The full range of civil rights may be acquired and exercised only on attainment of the age of majority, namely, 18.

55. Children are given their names with the consent of their parents (Marriage and Family Code, art. 58). Every child has the right to a name and a nationality upon birth (Children's Rights Act, art. 6).

56. Article 21 of the Children's Rights Act states that every child has the right to belong to public associations, including voluntary associations and organizations for children and young people, and to take part in peaceful assemblies, while article 25 of the Constitution prohibits their enforced enlistment in unions and organizations.

57. The Armenian Criminal Code does not establish criminal liability for the consumption of alcoholic and other controlled beverages. Under-age persons may not be employed selling alcoholic beverages and cigarettes, nor may they be employed in the manufacture and use of such commodities or in the performance of tasks which might be injurious to the health and physical and mental development of children or impede their education. Under the requirements of paragraph 3 of article 178 of the Code of Administrative Offences, parents or persons in loco parentis may be fined amounts measuring up to 50 per cent of the minimum wage if their children aged under 16 are found in public places in a state of inebriation or consuming alcoholic beverages. Pursuant to the instructions governing the operation of the juvenile affairs services of the Ministry of Internal Affairs, the names of under-age persons who commit such offences are registered by the local authorities at their place of residence, who conduct remedial work with them.

58. Paragraph 3 of article 178 of the Code of Administrative Offences stipulates that parents or other persons causing minors to become inebriated shall be liable to fines ranging between 50 and 100 per cent of the minimum wage. If such offences are committed within a year of the imposition of an administrative fine and by a person on whom the minor concerned is officially dependent, under article 231 of the Criminal Code they shall be punishable by deprivation of liberty for periods of up to two years or by punitive deduction of earnings for the same period.

59. All children have the right to know their own parents. Article 12 of the Children's Rights Act states that every child has the right to know his or her parents and to live together with them. There are no age restrictions to the provisions of this article.

60. There are no age restrictions on the provision of shelter and housing. Article 13 of the Children's Rights Act establishes that refugees who have lost their homes and property through acts of war and other conflicts are entitled to protection of their rights.

IV. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

61. The Armenian Constitution guarantees the equality of all citizens, without distinction as to nationality, race, language, religious belief, political or other views, social origins, or property or other status (art. 15). Article 16 states that all are equal before the law and are protected by the law equally and without discrimination.

62. The Children's Rights Act recognizes the precedence of international norms and states that children shall enjoy equal rights, without distinction as to their nationality, race, sex, language, religious belief, social origins, property or other status, education, place of residence, circumstances of birth, state of health or other circumstances (art. 4).

63. Under article 30 of the Children's Rights Act, refugee children enjoy all the rights of children who are citizens of Armenia. Aliens and stateless persons have the same rights to legal personality as Armenian citizens, except where otherwise stipulated by law.

64. Article 1 of the Disabled Persons (Social Welfare) Act proclaims all the social, economic and individual rights enshrined in the Declaration on the Rights of Disabled Persons, adopted by the General Assembly of the United Nations, as well as those established in the country's Constitution and other regulatory instruments.

65. There are no statutes, rules, policies or other permitted forms of behaviour in Armenia in which discrimination against women, all children or girls is entertained.

66. Article 23 of the Constitution establishes the right of every individual to freedom of thought, conscience and belief. Any direct or indirect encroachments on the rights of citizens to religious belief, their persecution on religious grounds or their incitement to religious hatred are acts which incur legal liability.

67. The country's Constitution also guarantees the rights of citizens belonging to ethnic minorities (art. 37). There are no derogations from the rights of minorities. Ethnic minorities which live in established communities have been given additional powers to set up their own local authorities, in the form of village councils.

68. The Employment Act guarantees the right of Armenian citizens freely to choose their employment and to receive social welfare in the event of their unemployment. Under article 5 of the Act, all able-bodied persons aged 16 and above who have applied to the State employment services for work are deemed to be job seekers and enjoy the right to receive information about job vacancies, to be given vocational guidance and to undergo vocational training (art. 7). The Act also contains provisions on granting the status of unemployed person, which guarantees the payment of benefits and grants throughout the period of vocational training courses and other measures.

69. A draft statute on the social welfare of youngsters aged 16-18 in children's homes is currently being developed, with a view to ensuring the welfare of children raised in such homes and preparing them for independent life.

B. Best interests of the child (art. 3)

70. To uphold the best interests of the child, article 3 of the Children's Rights Act makes provision for the creation of appropriate State agencies which, working in cooperation with voluntary non-governmental organizations and individuals, will be responsible for upholding the rights of children.

71. The task of protecting the best interests of children is performed through the courts and other relevant authorities with powers of decision over children, in such matters as divorce proceedings, the deprivation of parental rights and the placement of orphans and abandoned children.

72. Armenian law establishes the right of every child to the living conditions essential for the child's full physical, mental and spiritual development. Responsibility for ensuring such conditions is primarily borne by the child's parents or other legal representatives. Parental rights may not be exercised in a manner detrimental to the interests of the child.

73. When considering cases involving children, the courts must seek the opinion of the children concerned if they are aged 10 and over.

74. The Armenian Marriage and Family Code establishes the institutions of tutelage and guardianship for the upbringing of children deprived of parental care, including children whose parents have died, have been deprived of their parental rights or have fallen ill. Such tutelage or guardianship is arranged to protect the individual rights of children. Tutelage is provided for children up to the age of 14 and guardianship for those aged between 14 and 18. Local authorities are responsible for providing tutelage and guardianship. When tutors or guardians are being appointed, attention is given to their personal qualities. Persons under the age of 18, persons who have been declared legally incompetent or of limited legal competence by the

courts, persons who have been deprived of parental rights, or persons who have previously adopted children and have failed to comply fully with their obligations may not be appointed as tutors or guardians.

75. The adoption of children aged 10 and above may be effected only with their consent. The authorities responsible for tutelage and guardianship are required to ascertain whether or not a child consents to adoption. If a child has been living in the family of the adoptive parents prior to the submission of an application to adopt that child, and if the child considers the parents to be his or her own parents, the adoption may, on an exceptional basis, proceed without the child's consent (Marriage and Family Code, art. 117).

76. With regard to budgetary allocations earmarked for the development and protection of children's rights, we may cite the following figures: State expenditure on the health-care system amounted to 2.7 per cent of gross domestic product (GDP) in 1990, and 1.4 per cent in 1998 (as compared to an average for the world as a whole of 3-4 per cent). In the area of health care, State expenditure per capita ranged between US\$ 5 and US\$ 7 (as against US\$ 18 in 1993), substantially below the World Bank-recommended level of US\$ 12-20 for low-income countries. As a rule, health-care costs are met by the patients themselves, either officially or unofficially.

77. Funds allocated for education are also fairly limited. Responsibility for determining how funds are spent in schools rests with the schools themselves and with the local authorities. A total of 10 per cent of all humanitarian aid in the country is directed to children's social welfare, education and health-care programmes.

78. The ministries of health, social welfare, education, culture and sport and internal affairs all have services directly concerned with children's issues; a number of non-governmental organizations, particularly those dealing with women's affairs, are also concerned with such problems, but, as yet, Armenia has no standing national commission on human rights, although the need to coordinate children's problems and find solutions to them at the national level is more urgent than ever.

79. On 20 and 21 November 2000, on the initiative of the Ministry of Foreign Affairs, with support from UNICEF and the participation of the rapporteur of the Committee on the Rights of the Child, a seminar was held for the national team responsible for preparing the report. One initiative arising from the seminar was the suggestion that a national plan of action on the rights of the child should be prepared. On 21 June 2001, the Government of Armenia adopted its decision No. 558, on the proclamation of 2001 as the Year of the Child in Armenia and the elaboration of a national programme for the protection of children's rights.

80. The Civil Code contains rules to protect the interests of children in inheritance matters. On the death of a citizen, the right of inheritance devolves not only on the living children, but also on children conceived by, but born after the death of, the deceased. Armenian law also establishes the right to a mandatory portion of the inheritance, pursuant to which minor children and disabled children always inherit the portion of the inheritance which is their due, irrespective of circumstances.

81. Provision is made for the status of a refugee child accompanied by the child's parents, in the interests of family reunification.

82. Children belonging to ethnic minorities enjoy the same rights as Armenian children and there is no discrimination against them.

83. Article 23, part 2, of the Armenian Criminal Code stipulates that custodial sentences of more than 10 years may not be handed down on persons who were aged under 18 at the time of the commission of the offence in question. Should the court find that a person aged under 18 at the time of the commission of an offence which is not considered to pose any serious social danger may be reformed without the application of a criminal penalty, it may impose compulsory re-education measures on such an offender, and these do not constitute a criminal penalty (Criminal Code, art. 58). In addition, persons sentenced to periods of deprivation of liberty or to punitive deduction of earnings for offences committed when they were under 18 may be released early on parole or have their custodial sentences commuted to other forms of punishment (Criminal Code, art. 50). Where justified, the court, the procurator and, with the procurator's consent, the investigating officer may exempt a juvenile offender from criminal liability and refer the juvenile's case file to the Juvenile Affairs Commission, in order that compulsory re-education measures may be applied as appropriate.

84. On 3 July 2000, the Government of Armenia adopted its resolution No. 350, ratifying the procedure for the award and payment of family benefits and lump-sum benefits to persons living in poverty.

C. Right to life, survival and development (art. 6)

85. The right to life is recognized and enshrined in the Armenian Constitution and, in particular, in article 17, which expressly states that everyone has the right to life. In accordance with this fundamental principle, the provisions enshrined in the Constitution, including the right to life, are given legal form by articles 44 and 45 of the Basic Law, which prohibit any restriction on the right to life under any circumstances, such as, for example, a state of war, emergencies and other eventualities.

86. Under article 22 of the current Criminal Code, the death penalty may not be imposed on persons under the age of 18 at the time of commission of the offence. In the new draft criminal code, it is planned to replace the death penalty by life imprisonment, which may not be applied against persons who had not reached the age of 18 at the time of commission of the offence. Article 5 of the Children's Rights Act stipulates that every child has the right to life.

87. Article 10 of the Medical Assistance and Services Act stipulates that every child has the right to free medical care and services, in the framework of special State health-care programmes.

88. Figures submitted by the information centre of the Ministry of Internal Affairs show that, in 2000, 32 offences against minors were recorded in Armenia, most of which were of a sexual nature. In particular, there were 8 cases involving article 112 of the Criminal Code (Rape), 16 involving article 114 (Sexual relations with persons aged under 16 or persons who have still not attained sexual maturity) and 8 cases involving article 115 (Sexual abuse of minors).

Infant mortality

89. Armenia's infant mortality rates are within the average range and show a downward trend. Since 1995, the new WHO criteria have been introduced in Armenia, according to which a newborn child is considered live-born, irrespective of the child's gestational age, if the following are observed after birth: respiratory effort, heartbeat, umbilical cord pulsation or movement of voluntary muscles. Even though the infant mortality rate has dropped over the past 20 years in Armenia, its 2000 level (15.6 per cent) was still nearly twice as high as that in European countries - 8.2 per 1,000 live births. It meets the target set by WHO for Eastern European countries (no more than 20 deaths per 1,000 live births) and is considerably lower than the average indicator for the former republics of the USSR - 24.4 deaths per 1,000 live births.

Table 1
Infant mortality, 1980-2000 (deaths of children aged under 1 per 1,000 live births)

	1980	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Total	26.2	18.5	17.9	18.5	17.1	14.7	14.2	15.5	15.4	14.7	15.4	17.4
Boys	27.7	20.5	19.0	21.2	18.8	16.8	15.7	17.3	17.2	16.4	17.2	18.6
Girls	24.5	16.1	17.0	16.5	16.6	13.2	12.6	13.6	13.4	12.8	13.4	13.6

Source: National Statistical Service.

Mortality of children under 5

90. As may be seen from the tables provided, over the past 20 years the death rates among children aged under 1 and under 5 have dropped both for girls and for boys, demonstrating the lack of any discrimination on the basis of sex in Armenia.

Table 2
Mortality of children aged under 5, 1980-2000 (deaths per 1,000 live births)

	1980	1990	1991	1992	1993	1994	1995	1997	1998	1999	2000
Total	37.38	23.7	22.6	24.2	24.2	21.3	19.9	19.5	18.4	19.4	19.1
Boys	39.38	26.2	24.0	26.6	24.7	22.8	21.1	21.2	19.5	21.1	21.1
Girls	35.28	21.2	21.2	24.7	23.5	19.7	18.5	17.6	17.0	17.5	17.0

Source: National Statistical Service.

91. It may be seen from the table below that, in 2000, 60 per cent of infant deaths occurred during the neonatal period (0-28 days) and 53.2 per cent during the early neonatal period (0-6 days). The perinatal mortality level (stillbirths plus deaths of infants aged 0-7 days) is 16.6 per 1,000 births, representing an increase of 24.8 per cent over the 1995 level. The primary reasons for perinatal mortality are, among others, suffocation (half of all cases), congenital defects, respiratory distress syndrome and haemolytic disease.

Table 3
Infant mortality by age and cause, 1988-2000

	1988	1990	1995	1998	1999	2000
Infant mortality (0-1 year per 1,000 live births)	25.3	18.5	14.2	14.7	15.4	15.6
Perinatal mortality (stillbirths plus deaths at 0-6 days)	17.7	16.0	13.3	15.6	15.7	16.6
Mortality rate by age (percentage of total infant deaths)						
Early neonatal period (%)	36.8	38.2	45.8	49.9	49.3	53.2
Full neonatal period	45.2	49.0	52.9	59.7	58.2	60.0
Post-neonatal period	54.8	51.0	47.1	40.3	41.8	40.0
Mortality rate by cause (per 1,000 live births)						
Respiratory disorders	6.0	4.8	3.2	2.7	3.3	2.9
Intestinal infections	2.6	2.2	1.7	1.3	1.1	0.8
Perinatal diseases	10.2	6.1	5.7	6.9	6.3	6.2
Congenital anomalies	2.5	2.5	2.4	2.5	3.4	3.7
Breakdown of causes of mortality (in percentages)						
Perinatal diseases	40.3	32.8	38.4	47.6	40.4	40.3
Respiratory tract disorders	24.1	25.7	21.8	17.1	21.0	18.7
Intestinal infections	10.3	11.9	11.6	7.4	7.0	5.2
Congenital anomalies	9.9	13.9	16.3	18.1	21.5	24.4
Other causes	15.4	15.7	11.9	9.8	10.0	11.4

Source: National Statistical Service, Ministry of Health.

92. Over the past 10 years, infant mortality from diarrhoeal diseases has dropped by 68 per cent and from respiratory infections by 39 per cent. Overall, in 2000, by comparison with 1990, infant mortality dropped by almost 16 per cent. Over the past two years, however, there has been some increase in infant mortality rates, apparently due to the deterioration in people's social and economic situation, and the increasing scarcity of material, technical and human resources in the health system.

93. A number of programmes are under way in Armenia to reduce infant mortality and to prevent diseases. These include programmes to combat acute diarrhoeal diseases and acute respiratory infections, to improve children's diets from birth to the age of 5, and to promote breastfeeding, as well as preventive vaccination programmes designed to strengthen the system of primary medical care provided by polyclinics.

D. Right to express one's views (art. 12)

94. In the current Armenian legal system, the right of children to express their opinion freely is enshrined in the following instruments: the Armenian Constitution, the Criminal Code, the Marriage and Family Code, the Children's Rights Act, and others.

95. The provisions of article 12 of the Convention on the freedom of opinion of children are enshrined in article 24 of the Armenian Constitution, which states that everyone has the right to assert his or her own opinion and that people may not be coerced into revoking or changing their opinions.

96. Article 10 of the Children's Rights Act stipulates that the views, convictions and opinions of children are to be given due consideration in accordance with their age and maturity. The right of children to express their views may be restricted only by law, where this is necessary to protect the fundamental rights and freedoms of other persons, State and public security, or public order (art. 10).

97. Article 38 of the Constitution states that every person has the right to defend his or her rights and freedoms by any means not prohibited under law. Every person has the right to defend his or her rights and freedoms through legal process.

98. Once children attain the age of 10, there are many official procedures in which their opinions have to be taken into consideration. When considering cases involving a child aged 10 and over, a court is obliged to seek that child's opinion. In cases where people are changing their names, where parental rights are being restored, or in adoption matters, the opinion of the child concerned is of decisive importance once the child has reached the age of 10.

99. Article 43 of the Code of Criminal Procedure stipulates that the rights and legitimate interests of juveniles or of persons lacking legal capacity or of limited legal capacity shall be defended in the courts by their parents or adoptive parents, tutors, or guardians, who shall provide proof of such status to the court.

100. Legal proceedings involving minors are governed by the general rules of the Code of Criminal Procedure. Chapter 50 of the Code also stipulates special features of legal proceedings applicable to cases involving minors.

101. As yet, Armenia has no special arrangements for recording the public views of children or for conducting surveys on issues of direct relevance to them.

102. There is as yet no systematic complaints procedure, including in families and residential homes, where ill-treatment of children may also be practised covertly.

103. In the early 1990s, a hotline was in operation, giving children the chance to express their views and to convey their concerns and fears, but for reasons of lack of funding this hotline is no longer in operation.

104. Parents have a decisive role to play in developing the capacity of children to participate in public life, since the first stages in developing such capacities must, of necessity, take place in the home. Very little information is available about the role played by children in decision-making in the family.

105. The current laws and procedures on adoption in Armenia do not contain any provisions enabling children to take part in hearings which are of direct relevance to them.

106. Children generally do not avail themselves of their right to lodge complaints about being excluded from school. It is rare that children have the opportunity to express their views about the way their schools are run.

107. As yet, there are no arrangements to control the involvement of children in the media.

V. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

108. The civil registration authorities keep records of the status of all citizens, taking into consideration both State and public interests, with a view to protecting the personal and property rights of citizens. Article 180 of the Marriage and Family Code stipulates that births must be registered at civil registration offices. Registrations of birth are made at the office in the place where the child was born, or where one or both of the parents reside. With the consent of the parents, the civil registration authorities may arrange a ceremony to accompany the registration of a birth (art. 188).

109. Articles 189-193 of the Code cover the declaration of the birth of the child, the time limits for making such declarations and the procedures for registering the birth, registering a father who has died before the birth of the child and registering the birth of children born after the divorce of parents or after a marriage has been declared invalid.

110. The procedure for the registration of births is set out in detailed instructions, approved by the Minister of Justice in decree No. 1270 of 9 August 1999.

111. In particular, when registering a birth, the following principles are to be applied, to ensure that the relevant law is correctly observed and that the practice followed by registration offices in different parts of the country is uniform:

(a) All births must be registered in a local civil registration office;

(b) Applications to register a birth must be submitted within three months of the date of birth of the child and, in the event of a stillbirth, within three days of the birth. Failure to submit the application within the specified period may not serve as a reason for refusing registration;

(c) The birth of a child which is an Armenian citizen but which resides abroad shall be made in a diplomatic mission or consular office of the Republic of Armenia in the country concerned;

(d) Applications to register the birth of a child shall be made, in writing or orally, by one or both of the parents, and, in the event of their illness, death or inability to submit an application for any other reason, by relatives, neighbours, the authorities of the medical

establishment where the mother was delivered of the child or by other persons. When registering a birth, regardless of who is making the registration, the following documents must be submitted:

- (i) Certificate of the birth issued by the medical establishment;
- (ii) Parents' identity papers;
- (iii) Documents substantiating registration details of the father;
- (iv) Identity document of the person submitting the application.

112. Under current legislation, civil registration procedures (including the registration of births) may be made only on the basis of a national passport, a requirement which has caused delays in registration, as many women do not have national passports and discharge themselves from the maternity hospitals without registering their details. This has led to a situation where births sometimes go unregistered and the infant mortality figures are therefore inaccurate. The Ministry of Health has issued instructions to all gynaecological units, recommending that they counsel expectant mothers about the need to exchange their internal identity papers for national passports before their expected date of delivery.

113. When one or both of the parents are under the marriageable age, registration of the birth still follows the standard procedure.

114. Under the provisions of the Marriage and Family Code, every child has the right to a first name, patronymic and surname. Article 58 of the Code stipulates that children are given their first names with the consent of their parents and that their patronymics are based on their fathers' first names or, in cases provided for by the Code, on the first name of a person designated by the father. The child's surname is determined by the parents' surname. If the parents have different surnames, the child shall be given the surname of the father or the mother, by consent of the parents, and, in the absence of such consent, on the instructions of the tutelage and guardianship authorities (art. 59).

115. Article 9 of the Citizenship Act, adopted in November 1995, establishes the following grounds for the acquisition of Armenian citizenship:

- (a) Recognition of citizenship;
- (b) Citizenship by birth;
- (c) Citizenship by naturalization;
- (d) Restored citizenship;
- (e) Group acquisition of citizenship;
- (f) Grounds established by the international treaties to which Armenia is a party;
- (g) Other grounds stipulated by the Citizenship Act.

The Act provides for the granting of citizenship to children on other grounds as well; thus, a child whose parents are Armenian citizens is entitled to Armenian citizenship regardless of where the child was born. If, at the moment of birth of the child, one of the parents is an Armenian citizen and the other unknown or stateless, the child is entitled to Armenian citizenship.

116. If, at the moment of birth, one of the parents is an Armenian citizen and the other an alien, the question of the child's citizenship shall be decided by the parents by written agreement. In the absence of such agreement, the child shall be entitled to Armenian citizenship if born in Armenia, or if failure to take Armenian citizenship would result in the child becoming stateless, or if the parents are permanently resident in Armenia (Citizenship Act, art. 12).

117. Children up to the age of 14 are entitled to Armenian citizenship if their parents have acquired Armenian citizenship. Children up to the age of 14 are also entitled to Armenian citizenship with their parents' consent when one parent acquires Armenian citizenship and the other remains an alien or stateless, or if the child is resident in Armenia and the consent of the parent holding Armenian citizenship has been obtained (art. 16).

118. Children up to the age of 14 whose parents have lost their Armenian citizenship also lose their Armenian citizenship upon acquiring the citizenship of another State.

119. Should one parent lose his or her Armenian citizenship and the other remain an Armenian citizen, their child, if aged 14 or over, will also forfeit his or her Armenian citizenship if both parents consent or if the child is resident abroad, and the parent who has remained an Armenian citizen consents (art. 17).

120. A child adopted by an Armenian citizen is also entitled to Armenian citizenship. If one of the adopting parents is stateless and the other a citizen of Armenia, their child shall be entitled to Armenian citizenship.

121. The law also contains provisions covering the citizenship of adopted children when one parent is an alien and the other an Armenian citizen. In such cases, the child shall become an Armenian citizen if:

- (a) The adopting parents consent thereto;
- (b) The child is resident in Armenia and has the consent of the adopting parent who is an Armenian citizen;
- (c) The child is stateless or if, pursuant to article 18 of the Act, failure to acquire Armenian citizenship would render the child stateless.

122. If the child is an Armenian citizen and the adoptive parents are both aliens or one an Armenian citizen and the other an alien, the child shall retain Armenian citizenship. In such cases the child may change citizenship only on application by the adoptive parents.

123. A child who is an Armenian citizen shall retain Armenian citizenship if adopted by stateless persons or if one of the adoptive parents is stateless and the other an Armenian citizen (art. 19).

124. Children of unknown parentage living in Armenia shall be considered to be Armenian citizens. In the event that one of the parents or the person designated as tutor to the child is located, the child's citizenship may be changed in accordance with the provisions of the Act (art. 20).

125. Children who are Armenian citizens and in respect of whom Armenian citizens have been appointed as tutors or guardians shall retain their Armenian citizenship irrespective of the circumstances under which their parents lost their Armenian citizenship. In such cases children may renounce their Armenian citizenship only on application by their parents, provided these parents have not been deprived of their parental rights (art. 21).

126. In the event that parents change their citizenship, the citizenship of any children aged between 14 and 18 may be changed in accordance with the legal procedure prescribed under the Act, provided the children themselves give their consent thereto (art. 22).

127. Article 23 of the Refugees Act, adopted in 1999, establishes the right of refugees to obtain Armenian citizenship in accordance with the procedure established by the Citizenship Act. The relevant government authorities shall render assistance, to the extent possible, to refugees wishing to acquire Armenian citizenship.

B. Preservation of identity (art. 8)

128. Article 20 of the Armenian Constitution stipulates that all persons have the right to protect their private and family life from unlawful interference, and to protect their honour and reputation from attacks. The unlawful collection, storage, use and dissemination of information about people's private and family lives are prohibited. The Family Code and the Criminal Code stipulate penalties for the substitution of children, illegal adoption and breaching the confidentiality of adoption.

C. Freedom of expression (art. 13)

129. Article 24 of the Armenian Constitution establishes the right of all persons to assert their opinion and to seek, receive and disseminate information and ideas through any information channel, without restriction by State frontiers. The only restrictions on this right derive from articles 44 and 45 of the Constitution, which state that fundamental human and civil rights and freedoms may be restricted only by law, where this is necessary to protect State and public security, public order, public health and morality or the rights, freedoms, honour and reputation of other persons. Specific human and civil rights and freedoms may be temporarily restricted in a manner prescribed by law during a state of war.

130. Article 10 of the Children's Rights Act stipulates that the views, convictions and opinions of children should be given due consideration in accordance with their age and maturity.

131. Freedom of speech is closely related to freedom of the press and other media. A prominent role in upholding the freedom of speech in Armenia is played by the country's Press and Media Act. This Act stipulates that Armenian citizens have the right to use the press and other media to express their views and opinions on any aspect of public life. The Act also

stipulates that the press and other media are independent and may not be subject to censorship. The best guarantee of the freedom of speech is furnished by the freedom of access to information and the existence in the country of media outlets representing a diversity of views. There are more than 1,110 registered media outlets in Armenia. The table below sets out the children's media outlets currently existing in Armenia.

132. Children are actively involved in the publication of certain newspapers and the preparation of radio broadcasts. This activity is largely confined, however, to children living in the major cities. Since Armenia has no existing mechanism for surveying the opinion of television viewers, it is impossible to measure the extent to which children watch television programmes, listen to the radio or read newspapers and magazines.

133. Over the past three years Armenia has observed the international media days celebrated in more than 170 countries. On these days, media attention is focused on children.

Table 4

Children's media outlets in Armenia

Type of media	Name	State/private	Extent of children's involvement
Newspaper	<i>Kanch</i>	State	For children and with their involvement
Newspaper	<i>16</i>	State	For teenagers and with their involvement
Newspaper	<i>Partez</i>	Private	For children
Magazine	<i>Tsitsernak</i>	State	For children
Magazine	<i>Gortsner</i>	Eurasia Foundation	For children
Magazine	<i>Artsvik</i>	Private	With children's involvement
Magazine	<i>Akhbyur</i>	State	With children's involvement
Radio programme	"Bedtime for little ones"	State	For children
Radio programme	"Learning our ABC"	State	With children's involvement
Radio programme	"Youngsters on air"	State	For children
Radio programme	"Little sunshine"	State	With children's involvement
Radio programme	"Music book"	State	For children
Monthly newspaper	<i>Eritsuk</i>	Areg publishing house	With children's involvement
Television programme	"Open sesame!"	State	For children
Television programme	"Voskeporik" ("Golden belly")	State	For children and with their involvement

Children's news agency Areg

134. The children's news agency Areg was founded in November 1997 with the aim of involving Armenian children in the process of publishing newspapers and magazines and setting up children's radio and television programmes. The agency runs courses for young journalists in the towns of Erevan, Martuni and Eghegnadzor, is working on the establishment of a network of its own correspondents, and is engaged in other efforts. With the collaboration of its young journalists, Areg also broadcasts a weekly 50-minute radio programme and a half-hour television programme on the national network and publishes the magazines *Eritsuk* and *16*. Areg has its own correspondents in the towns of Gyumri, Abovian, Charentsavan, Martuni and Stepanakert, who take turns to provide information about children living there.

Children's television channel "Hayrenik"

135. In 2001, the country's first children's television channel, "Hayrenik" ("Motherland"), was launched by the Vardanyans, a leading business family. Besides showing cartoons and children's films, the channel also broadcasts eight special programmes, one featuring the clown Verkatsik and the others on such topics as sport, kindergarten activities, life in Armenia, Armenian history, gifted children and Armenian folktales. Children were involved in setting up the studios and participate in making the programmes. No scenes of cruelty or violence are shown on any of the programmes, nor does the channel carry any advertising.

D. Freedom of thought, conscience and religion (art. 14)

136. In 2001, the Armenian people celebrated the 1,700th anniversary of their adoption of Christianity. The Armenian Apostolic Church fully respects all the other religious organizations and communities operating in Armenia, which enjoy legal protection.

137. Article 23 of the Constitution proclaims the right of all people to freedom of thought, conscience and religion. The Freedom of Conscience and Religious Organizations Act, passed on 17 July 1991, stipulates that all citizens shall be free to determine their own attitude to religion, and have the right to profess any religion and to perform religious rites alone or together with other citizens.

138. The following 14 religious organizations are registered in Armenia:

- (a) Armenian Apostolic Church;
- (b) Russian Orthodox Church;
- (c) Armenian Catholic Church;
- (d) Yezidi religious community;
- (e) Jewish community;
- (f) Pagan community;
- (g) Baha'i community;

- (h) Mormons;
- (i) Baptists;
- (j) Evangelicals;
- (k) Pentecostals;
- (l) Seventh-Day Adventists;
- (m) Charismatics;
- (n) New Apostolic Church.

Jehovah's Witnesses and Krishna Consciousness communities are operating without registration.

139. Energetic activity by the various religious communities in a situation where freedom of religious belief is guaranteed has helped stimulate their growth, with recruitment of many youngsters. Campaigns to recruit children to these churches are being conducted against a background of severe financial and economic hardship, which is widely exploited by proselytisers. In many instances, the activities of these communities pose a serious threat to the moral development and health of children, causing them to become alienated from their families and from society.

140. Over the last few years there have been increasingly frequent cases of children falling seriously ill and even dying because their parents have refused, on religious grounds, to seek medical assistance. Over the period 1998-2001, there were five suicides and two attempted suicides which were religiously motivated.

141. The right of children to freedom of conscience, thought and religion is expressly established by the Children's Rights Act. The Act also stipulates that the right to freedom of expression and religious belief may be restricted only by law, where this is necessary to protect State or public security, public order, the health and moral well-being of the child or the fundamental rights and freedoms of other persons.

E. Freedom of association and of peaceful assembly (art. 15)

142. The Voluntary Associations Act, adopted on 1 November 1996, sets out rules governing exercise of the constitutional human right of free association. In particular, it regulates matters relating to the establishment of voluntary associations and their affiliation, their registration with the State and their reorganization, discontinuance of their activities and their disbanding, and sets forth the rights and obligations of such associations. According to the Act, a voluntary association may be established by a decision of a constituent meeting called on the initiative of at least three individuals. A voluntary association must be registered with the Ministry of Justice and acquires the status of a legal entity from the moment of such registration.

143. Articles 25 and 26 of the Constitution establish the right of every person to create and to join associations, including trade unions.

144. The human and civil rights described above may be restricted only by law if this is necessary to protect State and public security, public order, the health and well-being of society or the rights, freedoms, honour and reputation of others (Constitution, art. 44).

145. Article 21 of the Children's Rights Act proclaims these rights for all children. As established in the Voluntary Associations Act of 1 November 1996, a voluntary association shall be considered to be a children's and young people's association if its statutes make provision for membership by children and if it has as its purpose the conduct of activities for children (art. 4). While membership of such associations is open to children aged 10 and above, their founders, directors and members of their governing bodies must be aged 18 and above (art. 6). Political parties are banned from involvement in children's and young people's voluntary associations.

146. There are a number of children's and young people's non-governmental organizations operating in Armenia which have as their primary activity protecting the most vulnerable categories of children, namely, orphans, refugee children, disabled children and children working and living on the street.

F. Protection of privacy (art. 16)

147. The provisions of the Convention on the right to privacy are reflected in articles 20, 21 and 38 of the Armenian Constitution, which, among other things, establish the right of all individuals to protection of their privacy and family from unlawful interference and their honour and reputation from all attacks. The Constitution prohibits the unlawful gathering, storage, use and dissemination of information about the private and family lives of individuals. All people have the right to confidentiality in their correspondence, telephone conversations and postal, telegraphic and other forms of communication, which may be restricted only by court order.

148. The Armenian Constitution also proclaims the right of all citizens to the inviolability of their homes. No one may enter a person's home against that person's will, except in cases prescribed by law. A person's home may be searched only by court order and in accordance with the prescribed legal procedure.

149. In addition, all persons have the right to defend their rights and freedoms by all means not prohibited by law. All persons are entitled to have recourse to the law and the courts to defend their rights and freedoms established by the Constitution and by law.

150. Article 135 of the Criminal Code provides that unlawful search, unlawful eviction and other acts which breach the inviolability of the home shall be punished by deprivation of liberty for periods of up to one year or by punitive deduction of earnings for the same period, or by dismissal of the culprits from their posts. Article 136 provides that violation of the confidentiality of citizens' correspondence and telephone and telegraphic communications shall be punished by punitive deduction of earnings for periods of up to six months.

151. Under article 9 of the Children's Rights Act, every child has the right to be protected from any form of violence, including physical, mental and other forms. All persons, including parents and legal representatives, are prohibited from subjecting children to violence or degrading treatment or punishment. Under the same article, anyone infringing the rights and legitimate interests of children shall be liable to the penalties provided for under Armenian law.

152. The State and its relevant organs shall be responsible for protecting children from any violence, exploitation, involvement in criminal activity, including the use of narcotics, involvement in their production and trade, begging, prostitution, gambling and other acts which flout their rights and legitimate interests.

G. Access to appropriate information (art. 17)

153. The State encourages the production and screening of films, video recordings and television programmes and the publication of newspapers, magazines and books for children, and endeavours to ensure that these are readily available to help promote the development of children's creative talents (Children's Rights Act, art. 18).

154. The public dissemination of information and literature which is conducive to the formation of the cult of violence or cruelty, degrades human dignity, negatively influences children or encourages criminal behaviour shall be prosecuted under law.

H. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

155. Article 19 of the Constitution stipulates that no person may be subjected to torture, cruel or degrading treatment or punishment or be made to undergo medical or scientific experiments without his or her consent.

156. On 23 September 1993, Armenia became a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the provisions of which, under article 6 of the Constitution, form an integral part of Armenian law, are legally binding and must be applied by all the country's law enforcement agencies.

157. The State attaches particular significance to the problem of criminality among juveniles. The young offenders' reformatory in the town of Abovian, which is run by the corrective labour service of the Armenian Ministry of Internal Affairs, is the country's only custodial establishment exclusively for convicted juveniles, in which they are held separately from adults. The reformatory has a remand centre in which juveniles from all parts of the country are held while undergoing investigation and until their sentences are handed down. All the buildings and facilities in the reformatory are soundly constructed and designed to accommodate up to 500 convicted juveniles.

158. When juveniles are detained or taken into custody, their parents or legal representatives are informed immediately. It is prohibited to keep juveniles in custody together with adults.

159. In cases stipulated under Armenian law, while initial inquiry and pre-trial investigations are being conducted and during the trials themselves, not only the lawyer but also a psychologist and educational specialist must be present.

160. Armenian law stipulates that persons who have not reached the age of 16 may, in exceptional cases, be summoned as witnesses. In such cases, these persons are not warned that it is a criminal offence to give evidence they know to be false or to refuse to give evidence.

Recourse to force, threats or other unlawful actions for the purpose of obtaining testimony and confessions is prohibited. Juveniles may not be obliged to give evidence against their parents and close relatives.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

161. At present, State policy relating to the family is conducted in accordance with the following:

- (a) The Constitution;
- (b) The Marriage and Family Code;
- (c) The Civil Code;
- (d) The Presidential decree of 29 March 1996 on protection of the mother and child;
- (e) Government decisions;
- (f) International agreements to which Armenia is a party;
- (g) The State Pensions Act, which sets out legal, economic and organizational arrangements governing State pensions.

162. According to data supplied by the National Statistical Service, there are 874,812 families in Armenia.

163. The legislation stipulates that every child has the right to know his or her parents and to live with them, except where the law forbids it in the child's own interests. Parental rights arise from the moment of the child's birth and continue until the child reaches the age of 18. The two parents have equal rights in respect of their children. Parental rights cannot be exercised at the expense of the child's interests.

164. Protection of the child's rights and legitimate interests is a fundamental duty of the parents or other legal representatives. If a child violates the law, the parents or other legal representatives are held responsible in accordance with the procedure established by law (Children's Rights Act, art. 14).

165. The rights and duties of parents and guardians in raising children are defined in accordance with articles 9 and 14 of the Marriage and Family Code and article 38 of the Civil Code. Parents have an obligation to raise their children and bear responsibility for their physical development and their education. Parents are the legal representatives of their minor children before all bodies, including judicial bodies, and they may act in defence of their children's rights and interests without any special authorization.

166. Every child has the right to education and the right to select a place of study with the consent of his or her parents or of any other legal representative (Children's Rights Act, art. 11).

167. State policy is designed to protect the interests of the family and a number of special measures have been developed to ensure the protection of families in which the parents are divorced and families which have children born out of wedlock or adopted children.

B. Parental responsibility (art. 18, paras. 1 and 2)

168. Under Armenian legislation, fathers and mothers have equal rights and obligations in respect of their children, including after divorce (Marriage and Family Code). All matters relating to the upbringing of the children are decided by the parents by joint agreement.

169. Where there is no agreement between the parents, the contentious issues are resolved by the authorities responsible for tutelage and guardianship with the participation of the parents, or, where the law so stipulates, by the courts.

170. If, following divorce or for other reasons, the parents live separately, they must agree on where their minor children are to live. Where there is no agreement between the parents, the dispute is resolved by the courts in the light of the children's interests. A parent who lives separately from his or her child has the right to contact with the child and the obligation to contribute to his or her upbringing.

171. Where it is impossible to arrange for a child who has been deprived of parental care to be raised and cared for in another family, the State and its relevant organs place the child in a children's home or boarding school. Conditions close to those of a family are created in such institutions. The administrations of these institutions and the local authorities protect the rights and legitimate interests of children who have no parents, and provide them with accommodation, social security and work.

172. In the case of children who are fully supported by the State while in children's institutions, the authorities responsible for tutelage and guardianship or the institutions themselves are entitled to apply to the courts to order the parents to contribute to the maintenance of their children. In such cases, funds for the maintenance of the children are collected from each parent and passed to the institution in which the child is located. Depending on the circumstances of the parents, the court may relieve them fully or in part of the obligation to pay these contributions (Marriage and Family Code, art. 83).

173. Children may be sent to be raised in institutions by decision of a local authority or by order of a court.

174. Children who live in special child-raising or medical institutions are entitled to be treated with respect, to receive health care and appropriate education and vocational training, and to meet and correspond with their parents and other legal representatives. The function of the child-raising institutions is to reform and re-educate the child (Children's Rights Act, art. 32).

175. By decision No. 584 of 18 November 1992, the Government approved a procedure for the payment of State social security allowances from the State Social Insurance Fund. The following allowances are payable:

Allowance for temporary inability to work;

Pregnancy and confinement allowance;

Allowance for care for a sick family member;

One-off allowance granted when a child is born.

Only working women are entitled to receive the pregnancy and confinement allowance. The one-off allowance is granted to all women, whether or not they are working or studying.

176. For the purpose of improving the living conditions of orphan children and children deprived of parental care, and ensuring their full development, a draft set of “Standard regulations governing children’s homes” is being prepared in the Ministry of Social Welfare. The aim is to make the living conditions of children in the care of the State as similar as possible to those of a family, and to create training and production workshops and agricultural complexes and organize computer classes to provide vocational guidance and training for the children living in such homes.

177. The problems of minor children who are in State care are handled by three ministries, which run general and special children’s institutions:

- (a) The Ministry of Social Welfare;
- (b) The Ministry of Education and Science;
- (c) The Ministry of Internal Affairs.

178. In April 2001, a total of 592 children were being raised in the Ministry of Social Welfare’s children’s homes, including 280 disabled children; a significant proportion of the residents are de facto orphans. The activities of the homes are directed towards the physical, psychological and spiritual development of the children, the shaping of their personalities in the difficult circumstances in which they find themselves, and the imparting of vocational skills. The process of socialization of the children and their preparation to live self-sufficient lives is being consistently improved. The staffing of the institutions is in line with established requirements. The residents of the children’s homes study in neighbouring urban general schools, and this averts any possible isolation from society and helps to integrate them into their age group. They include members of ethnic minorities - Russian, Yezdis and others.

179. In accordance with orders and regulations issued by the Juvenile Affairs Department in the Ministry of Internal Affairs, parents who are drug addicts or drunkards, who have abandoned their children, or whose behaviour exerts a harmful influence on their children, are placed on a register, and the staff of the services concerned engage in remedial activities with them as the law provides. If such activities are unsuccessful, a report is drawn up and presented to a judge and to the Juvenile Affairs Commission for action.

C. Separation from parents (art. 9)

180. In Armenia respect for the rights of children who are separated from one or both parents is guaranteed by various laws - first and foremost the Children’s Rights Act, article 12 of which

stipulates that every child shall have the right to be recognized by his or her parents and to live with them, except in cases specified in the law where a court rules that the separation of the child from his or her parent or parents is necessary in the interests of the child.

181. The State and its relevant organs work towards the reunification of the family. Article 15 of the Act emphasizes that a child who is not living together with his or her parent or parents has the right to maintain regular personal relations and direct contact with that parent or parents, except in cases referred to in the Marriage and Family Code. Article 30 of the Act stipulates that the State and its relevant organs shall take steps to trace the parent or parents of a child.

182. One or both parents may be deprived of their parental rights if it is established that they are failing to fulfil their child-raising obligations, misusing their parental rights, exerting a harmful influence on the children or abusing them or are chronic alcoholics or drug addicts. Parents may be deprived of their rights only by means of a judicial procedure. Parents deprived of their rights are not released from their obligation to care for and maintain their children.

183. Parental rights may be restored only by means of a judicial procedure initiated at the request of the parties concerned, where it is established that the behaviour of the parents has changed, that they can raise the children, and that restitution is in the interests of the children.

D. Family reunification (art. 10)

184. The right to family reunification is laid down in the Constitution, which stipulates that every citizen has the right to travel outside Armenia and to return to Armenia, and that every citizen within Armenia has the right to move around freely and to choose his or her place of residence.

185. In addition, under article 28 of the Children's Rights Act, the State must provide immediate assistance free of charge to children who find themselves in an emergency situation by taking steps to transfer them from dangerous areas, reunite them with their families and provide them with the necessary medical assistance and services.

186. Lastly, article 15 of the Act stipulates that a child who is not living together with his or her parent or parents has the right to maintain regular personal relations and direct contact with that parent or parents.

E. Illicit transfer and non-return (art. 11)

187. The Children's Rights Act stipulates that the security of children in Armenia is guaranteed. The unlawful transfer of children, whether within the country or to other States, abduction of or trafficking in children are offences under Armenian legislation. Specifically, under article 130 of the Criminal Code it is an offence punishable by a custodial sentence of between 5 and 12 years for an individual to abduct a minor or otherwise unlawfully deprive a minor of his or her freedom.

188. According to data supplied by the Information Centre of the Ministry of Internal Affairs, no cases were recorded in which children were sold, resold, abducted or unlawfully taken out of the country in the year 2000.

F. Recovery of maintenance for the child (art. 27, para. 4)

189. Under the Marriage and Family Code, parents have an obligation to protect the rights and interests of their under-age children. Parents have an obligation to maintain their under-age children and to assist their adult children when they are in need and unable to work. Maintenance payments are collected from them for their under-age children.

190. Persistent refusal by parents to pay court-ordered maintenance payments for their children, and refusal by parents to support under-age children who are dependent on them, are criminal offences (Criminal Code, art. 124).

191. Section 3, "Family", chapter 10, article 78, lays down that where maintenance payments for under-age children are concerned, a quarter of the parents' income is collected for one child, a third for two children, and half for three children or over. In addition, the second part (1992) lays down that, in the case of parents receiving an unemployment allowance, a quarter of the allowance is collected for one child, a third for two children, and half for three children or over, but not less than 20 per cent of the unemployment allowance for each child. In individual cases the court has the right to lower the amount of the payments.

192. Armenia has signed and ratified the Commonwealth of Independent States (CIS) agreement on the granting of social allowances to families with children, and on legal guarantees for citizens in relation to compensation and maintenance payments.

G. Children deprived of a family environment (art. 20)

193. Under current legislation, children without families are protected in accordance with the provisions of the Civil Code and the Marriage and Family Code.

194. According to data for the beginning of 2001 from the Social Services Administration in the Ministry of Social Welfare:

20,806 families contain children who have lost one parent;

29,968 children in families have lost one parent;

866 families contain children who have lost both parents.

195. A causal relationship may be observed between the rising numbers of de facto orphans and the distortion of social values in Armenia resulting from the protracted social and economic crisis.

196. Analysis of the most acute problems affecting the viability of the family and family policy, together with efforts to address the problems and take practical steps for the social protection and strengthening of families containing under-age children, will make it possible to curb the rise in the number of children in institutions and help to eradicate this social scourge and return children to their families.

197. During the first half of 1999, the Ministry of Social Welfare, with the help of local authorities, transferred nine children who had been deprived of parental care and were living in children's homes run by the Ministry of Social Welfare to foster families. This was done under an agreement signed by the Ministry with the municipality of Créteil in France, under which the latter undertook to fund the care and upbringing of children in foster families until they reach adulthood.

198. Since 1999, as a result of efforts accomplished so far, children have been living and growing up in foster families where they enjoy an environment conducive to their normal physical, spiritual and intellectual development and their education. They are surrounded by the love and care of all the members of the foster family. Specialists from the administration systematically consult the parents on matters related to the adaptation of the children to life in the foster families, their interaction with all the members of the new family, and their health and performance, and periodic visits to the foster families are carried out.

H. Adoption (art. 21)

199. Article 24 of the Children's Rights Act lays down the right of children deprived of parental care to protection, guardianship, upbringing and assistance from the State and its relevant organs, which must arrange for the care and raising of such children through adoption or placement in appropriate children's establishments. Factors taken into account when selecting the form of care are the need for continuity in the child's upbringing, his or her mother tongue, age, sex, and so on. The procedure for adoption is set out in Armenian legislation.

200. Adoption issues are regulated by the Marriage and Family Code (chap. 13, arts. 110-138), the Civil Code, government decisions, international treaties and other legal instruments. In addition, in 2000 the Government approved a set of instruments regulating the processes of adoption, tutelage and guardianship, drawn up by the Ministry of Social Welfare, as follows:

(a) A decision approving the adoption procedure, under which, since September 2000, the Ministry of Social Welfare has been maintaining a central register of children who are awaiting adoption or have already been adopted, as well as prospective adoptive parents. The decision also defines the conditions in which a child can be adopted, and draws up a list of documents required for the adoption procedure;

(b) A decision approving the regulations governing the Commission on Adoption Issues and its composition, as well as the standard regulations governing provincial commissions, which relate to the activities of the national and provincial adoption commissions;

(c) A decision approving a set of instructions and guidelines for the application of the adoption procedure. The instructions and guidelines specify the bodies whose duty it is to process adoption documents - the national and provincial commissions, maternity hospitals, medical institutions providing preventive care, the authorities responsible for tutelage and guardianship and the Ministry of Internal Affairs;

(d) A decision approving the regulations governing the authorities responsible for tutelage and guardianship, under which those authorities, which possess full information

concerning minors who have been deprived of parental care, assist tutors in raising children and organizing their leisure, not only protecting the rights of tutors and guardians but also monitoring fulfilment of the commitments they have entered into. The government decision vests these powers in the Ministry of Social Welfare at the national level, and in provincial leaders at the local level. Every six months these leaders must present to the Ministry a report on the activities of the local tutelage and guardianship authorities.

201. According to information received, 93 children were adopted in the second half of 2000, while tutelage arrangements were made for 153 children and guardianship arrangements for 64 children.

202. In November 2000, for the purpose of clarifying the provisions of these decisions, the Ministry of Social Welfare, with help from the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the National Institute for Labour and Social Research, organized a seminar for senior officials of the relevant ministries and departments, children's homes and medical institutions and representatives of provincial tutelage and guardianship authorities, municipal bodies and heads of local social services centres. The following topical issues were discussed at the seminar:

- (a) Realization of the legitimate rights and interests of children in Armenia in accordance with the Convention on the Rights of the Child and the Children's Rights Act;
- (b) Adoption, tutelage and guardianship under the Marriage and Family Code;
- (c) The adoption procedure and instructions and guidelines for the application of this procedure;
- (d) Procedure for monitoring the living conditions and upbringing of children in adoptive families.

203. To date Armenia has not concluded any bilateral treaties on adoption matters or acceded to any multilateral ones, but it has acceded to and ratified the following conventions and agreements on mutual assistance:

- (a) CIS Convention on Judicial Assistance and Judicial Relations in Civil, Family and Criminal Cases (23 June 1993);
- (b) Agreement between Armenia and Georgia on judicial assistance in civil matters (4 June 1996 and 4 March 1997);
- (c) Agreement between Armenia and Romania on judicial assistance in civil and criminal matters (25 March 1996 and 5 October 1996);
- (d) Agreement between Armenia and Bulgaria on judicial assistance in criminal matters (26 September 1995);
- (e) Agreement between Armenia and Bulgaria on judicial assistance in civil matters (26 September 1995).

I. Periodic review of placement (art. 25)

204. The law addresses this topic in article 26 of the Children's Rights Act, which stipulates that "the State and its relevant agencies shall establish special children's homes and boarding schools for disabled children and physically and mentally challenged children, shall adopt social and economic measures designed to reduce the number of disabled children (by providing therapy), and shall organize the production and acquisition of the devices and equipment they need to lead active lives". In their activities they are guided by the appropriate legislative and other instruments. Various non-governmental organizations help to monitor the situation in children's institutions.

205. The state of health of children in children's institutions is monitored by the appropriate medical staff of the institutions. Where inpatient treatment is required, children are provided with medical assistance in general hospitals.

206. Beginning in February 2000, a centre for the reception and placement of children has been operating under an agreement concluded by the Armenian Aid Fund and the Ministry of Internal Affairs. Under the legislation governing the Armenian Aid Fund, children aged between 3 and 18 are accepted in the centre, from the following groups:

- (a) Children born out of wedlock;
- (b) Children living and making a living on the street;
- (c) Children belonging to ethnic minorities;
- (d) Children who have become homeless as a result of the war in Karabagh.

207. Medical, social and psychological units also operate in the centre. In future, when necessary, children will also be provided with appropriate documents (birth certificates, passports or draft cards), food and clothing, and temporary housing. Meticulous and consistent efforts are devoted to these children. The issue of whether to return children to their parents is also examined, on the basis of an investigation conducted in accordance with a decision taken by the relevant board, in which persons working in the field of children's affairs participate. If child offenders who cannot be taken to court because of their age arrive at the centre, they are sent to a special school in Nubarashen or Vardashen.

208. Children who arrive in the centre are not only provided with advice, but also benefit from activities in the field of prevention. The circumstances of older children are similarly investigated, leading to the creation of a database containing information on their personal lives, the activities carried out with them in the centre, etc.

J. Abuse and neglect (art. 19); physical and psychological recovery and social reintegration (art. 39)

209. Article 9 of the Children's Rights Act stipulates that every child is entitled to protection against all forms of violence (physical, mental, etc.). No one, including parents and other legal

representatives, may subject a child to violence or degrading punishment or similar treatment. Anyone violating the rights or legitimate interests of a child is liable to prosecution in accordance with the law.

210. The State and its relevant organs protect children from any violence, exploitation, enticement into criminal activity, including the use of narcotics, enticement to produce or trade in narcotics, begging, debauchery, gambling and any other violation of their rights and legitimate interests.

211. Article 68 of the Marriage and Family Code stipulates that parents who behave brutally towards their children may be deprived of their parental rights.

212. Officials from the Juvenile Affairs Department in the Ministry of Internal Affairs work consistently every day to identify parents or persons in loco parentis who are subjecting children to physical or sexual violence or exerting a harmful influence on them. In 2000, 120 parents or persons in loco parentis were placed on a list of persons found to be subjecting their children to ill-treatment; appropriate remedial activities are to be organized for them. A total of 59 adults were prosecuted under article 231 of the Criminal Code for inciting minors to engage in criminal activity, drunkenness or gambling.

213. The problems of child vagrants and beggars benefit from the constant attention of officials dealing with juvenile affairs. Large-scale campaigns are carried out periodically to identify such children and place them in appropriate institutions, netting 205 child vagrants and beggars during an eight-month period in 2000, many of them for the second time. Of these children, 129 were sent to a child reception and placement centre, 28 were registered for remedial measures, 3 were sent to children's homes, 2 to colleges and 4 to boarding schools. It should be pointed out that the officials dealing with juvenile affairs pay special attention to identifying minors who are engaged in prostitution, using drugs or involved in various types of crime. Those identified are prosecuted under article 231 of the Criminal Code.

VII. BASIC HEALTH AND WELFARE

A. Disabled children (art. 23)

214. Under article 26 of the Children's Rights Act, and also the Disabled Persons (Social Welfare) Act, the Constitution (art. 33) and other legal instruments, the disabled are guaranteed all social, economic, cultural, political and civil rights. The Disabled Persons (Social Welfare) Act contains legal, economic and organizational provisions for the welfare of the disabled. Articles 12, 13, 14 and 15 of the Act, which directly relate to disabled children, guarantee them opportunities to receive the following:

- (a) Secondary, specialized secondary and higher education and vocational training;
- (b) Pre-school education;
- (c) Retraining and further training.

215. The rights of disabled children and mentally or physically challenged children are also laid down in article 26 of the Children's Rights Act, under which the State guarantees disabled children and mentally or physically challenged children free medical, remedial and psychological help, the right to obtain a basic education and vocational training, job placement, and also social rehabilitation, to facilitate their rapid integration into the life of society.
216. The State has an obligation to provide disabled children with free prostheses and orthopaedic appliances, as well as hearing aids. At the end of last year, Armenia received from the American Red Cross more than 500 wheelchairs, of which 100 were children's models. At the beginning of the current year China supplied a similar number of hearing aids, 100 of them for children.
217. Special children's homes, boarding schools and rehabilitation centres operate in Armenia for disabled children, by means of which the State provides medical and social protection for the children.
218. In the Ministry of Social Welfare, with the help of UNICEF, work is being carried out to set up a countrywide data bank on the disabled, which will include information on 8,000 disabled children.
219. The State guarantees free professional treatment for disabled children and mentally and physically challenged children. Such children are entitled to psychological help and basic education or vocational training corresponding to their abilities. The State also helps such children to find work, guarantees social rehabilitation and a full life for disabled children and mentally and physically challenged children, helps to reinforce their self-confidence and facilitates their participation in the life of society. If they agree, such children can study in general schools. The State establishes special children's homes and residential accommodation for such children, and takes steps of a social and economic nature which will lead to a reduction in their numbers. The State also organizes the manufacture and purchase of the equipment that disabled children need for their daily lives (Marriage and Family Code, art. 26).
220. Disabled children and children who have lost their breadwinners are entitled to receive allowances in amounts, and in accordance with procedures, laid down by law.
221. Particular importance is attached to children with special needs, being the most vulnerable group in society, and to their physical and social rehabilitation, as part of the social policy covering the disabled, which is based on humane principles.
222. Two specialist children's homes for disabled children are operating under the Ministry of Social Welfare. According to figures for 1 January 2001, they house 245 children with various disorders of the central nervous system or physical and mental disabilities, most of whom have no parents.
223. In the children's home in the town of Gyumri, care, nurture and treatment are provided for disabled children aged up to 6, as well as activities for their social and psychological rehabilitation. Beyond the age of 6, the disabled children are transferred to the Kharberd specialist children's home in Ararat province, where they remain until they reach adulthood.

224. In the children's homes doctors, educationalists, psychologists, rehabilitation experts, nurses and other specialists work with the disabled children. Here the children are regularly taught self-sufficiency skills, and knowledge is imparted in accordance with the abilities of each child. For this purpose educational games and various therapeutic methods are used, with the overall aim of rehabilitating the physically or mentally challenged children, raising the level and quality of activities in the sphere of general education, and developing in them capacities and skills to enable them to cope with everyday life. The parents of the disabled children are given opportunities to visit them.

225. In 1999 doctors and middle-level medical staff of the Ministry of Social Welfare's children's homes followed courses to enhance their skills which were organized by the National Health Institute together with UNICEF, and received diplomas.

226. In 1994, according to official figures, 5,000 disabled children aged up to 16 were registered. In reality this figure was much higher, since the list of illnesses used as a basis for classifying disabled children (following rules from the former Soviet system) was very limited. Starting in 1995 the Ministry of Health drew up and introduced a new list of medical instructions for the definition of disability, leading to a rise in the number of children registered as disabled from birth (8,000 in the year 2000). In all likelihood, this figure could be even higher, bearing in mind that many parents were previously embarrassed by the condition of their children and did not apply for disability allowances, and naturally the children were not registered as disabled. Currently, as a result of the serious social and economic situation, there has been an increase in the number of applications from parents of such children wishing to register them as disabled, receive allowances and help, or transfer the children to the care of the State.

227. Under the previous system, disabled children were very isolated from society and cared for in special institutions of the closed type (kindergartens, auxiliary and evening schools and boarding schools), in which the problems of medical and social rehabilitation received minimal attention.

228. Society's inadequate response to such children also led to their isolation in the family, and as a result, both children in families and those in the care of the State lacked opportunities to lead normal lives and have contacts with other children.

229. Today as never before, it is important to foster the idea that disabled children are also full members of society and have the right to lead active lives insofar as their abilities permit.

230. In Armenia the medical and social rehabilitation of disabled children is considered a matter of priority, and this is reflected in the Children's Rights Act, article 26 of which stipulates that:

“The State and its relevant organs shall guarantee disabled children and physically and mentally challenged children free specialist medical and psychological assistance and the opportunity to receive a basic and specialized education and social rehabilitation and secure an occupation in keeping with their abilities. Such children may if they wish study in general-education schools. The State and its relevant organs shall establish

special children's homes and evening institutions for them, take steps to reduce the number of disabled children, and organize the manufacture and purchase of the devices and equipment the disabled need to lead active lives."

231. It is extremely difficult to apply such a policy, since there is a lack of special equipment and means of transport for the disabled (not all of them have wheelchairs, homes and schools are not modified for wheelchair use, public transport is not equipped to carry the disabled). There are no special social services to assist in solving the social difficulties encountered by this group of persons, or to provide assistance to families.

232. In Armenia medical care for disabled children is provided free of charge. The cost of care and treatment of disabled children in sanatoriums is borne by the State through budget allocations. Unfortunately, these allocations are steadily shrinking. In 2001 no funds were earmarked for treatment of children in sanatoriums (except for those suffering from tuberculosis).

233. Before the 1988 earthquake, rehabilitation treatment for children was organized in children's sanatoriums and in the inpatient and outpatient rehabilitation departments of medical institutions falling under the Ministry of Health. The main treatments made use of balneotherapy, favourable natural and climatic environments, phytotherapy (with extensive use of electrotherapy) and physical training.

234. After the earthquake, thanks to the efforts of overseas specialists and investment by international organizations, the organization of rehabilitation treatment of children was stepped up. From 1989 onwards the United States organization Project Hope was very active. A joint programme entitled "Child rehabilitation" was developed together with United States colleagues and approved by the Ministry of Health. Under the programme specialists were trained (rehabilitation specialists, therapists, specialist rehabilitation nurses, orthopaedists, etc.), an orthopaedic laboratory was set up, and sick children were given practical help (overseas). Subsequently the programme was expanded: a rehabilitation service was set up in the town of Gyumri. In Erevan a children's rehabilitation centre was opened. The network of centres specializing in rehabilitation was gradually extended. In 1994 the Oshakan children's rehabilitation centre was set up for children with disorders of the musculo-skeletal system and victims of military activities.

235. At the same time as experience from abroad was introduced in Armenia, new methods of organizing rehabilitation treatment were introduced step by step: an integrated approach to problems is followed, and great emphasis is placed on physiotherapy. Rehabilitation of disabled children is currently carried out by teams, in which the child and the child's family occupy a central place. The parents play an active part in the work of the team. The team is composed of a rehabilitation specialist, a therapist, a specialist rehabilitation nurse, an orthopaedist, an educationalist and a psychologist. Where necessary a neuropathologist, an orthopaedist, a plastic surgeon, etc. are invited.

B. Health and health services (art. 24)

236. Activities in the field of health care for children and mothers in Armenia are organized under the auspices of the State, and the tactics and strategy for the protection of mother and child

health are founded on a State system of medical assistance. The legislative basis for the organization of health care for children is composed of the Constitution, the Medical Assistance and Services Act, the Children's Rights Act, the Health and Safety Act, the Publicity Act (banning advertising for breastmilk substitutes), the Presidential decree of 28 March 1996 on protection of the mother and child and the Supreme Council decision of 8 July 1991 concerning the protection of women, mothers and children and priority measures to strengthen the family.

237. Under the Medical Assistance and Services Act, children are guaranteed free medical assistance under specially designed State programmes. The specially designed State programme for 2001 provides for the following:

- (a) Free outpatient medical assistance in general clinics for children aged up to 15;
- (b) Free inpatient medical assistance:
 - (i) For children aged up to 3, whatever the diagnosis;
 - (ii) For children up to 15, in the case of specific illnesses (infectious diseases, cancer and psychological disorders, tuberculosis, sexually transmitted diseases, etc.) and in emergencies;
 - (iii) For children up to 18 who belong to socially underprivileged groups, whatever the diagnosis (disabled children, orphans, children of single mothers, children of disabled parents, etc.).

Health system - structure and network

238. As previously noted, Armenia is divided into 11 provinces, which comprise 51 administrative and territorial districts: 37 rural and 14 urban (including 8 districts in the capital). Each province has its own health department.

239. Medical care for the general public, particularly children and women, is provided by institutions under national, municipal or provincial supervision:

Medical institutions under national supervision provide inpatient and consultative (outpatient) care for all children and mothers;

The principal institutions under municipal supervision providing care for children and mothers are: children's hospitals, children's polyclinics, maternity homes and prenatal clinics;

Institutions subordinate to the municipalities (provinces) are: the central hospital and polyclinic normally to be found in each district centre, village health centres (hospitals), and outpatient, paramedical and midwifery stations in the villages.

240. The central hospitals have obstetrics and gynaecology and paediatric departments. The district polyclinics have prenatal and children's clinics. Depending on population size and geographical conditions, villages may have:

- (a) A village hospital (health centre), providing outpatient care, and also inpatient care, with a limited (and declining) number of maternity beds;
- (b) A village outpatient clinic providing outpatient care for the general public, including children and women;
- (c) Paramedical and midwifery stations providing basic outpatient services within the village.

241. The health-care system initially had a preventive slant. Medical care is generally provided on a geographical basis. Each department in a children's polyclinic (under one doctor) serves between 500 and 1,000 children aged under 15 (though the Children's Rights Act refers to children up to 18). The organization of medical care is based on the principle of different levels, from the village up to the national level, depending on the seriousness of the disease. Inpatient and outpatient care in polyclinics is essentially provided by teams of doctors.

242. Overall, medical care for the nation's children is provided through the following services: an inpatient service, outpatient services at polyclinics, and a system of sanatoriums. The inpatient care system for children includes 14 independent children's hospitals, 6 of which operate at the national level, 8 municipal hospitals in towns and 52 children's departments, 48 of which function within district or urban hospitals, and 4 as part of research institutes or specialist centres.

243. In 2000 there were 3,235 children's hospital beds, compared with 4,114 in 1990. Of these around half were specialized beds, a significant proportion of which were in municipal hospitals, mainly in Erevan. However, since they are the only ones in the country, in practice they offer specialist medical care to the entire child population. Over the past eight years, the number of children's beds has fallen by 21 per cent, while the number of children for each bed has risen by 15 per cent. However, the current number of beds is more than adequate. The occupancy rate for inpatient services is not more than 40-50 per cent, owing to the reduction in the average length of stay per bed (resulting from the introduction of new techniques for diagnosis and treatment and an increased emphasis on outpatient treatment in polyclinics) as well as a drop in the affordability and quality of medical services.

244. Outpatient care for children at polyclinics is offered through specialist departments and surgeries at 122 polyclinics, 35 of which are independent children's polyclinics. By the end of 2001 this figure had shrunk considerably because some polyclinics for children and adults were merged (integrated) under the programme for streamlining the health-care system.

245. The health-care system in Armenia employs 1,436 paediatricians, compared with 2,066 in 1990; 188 of them specialize in disorders of the newborn. The number of paediatricians has dropped by 32 per cent over the past eight years, while the number of children per paediatrician has risen by 18 per cent. Despite these trends, the availability of paediatric care in the cities is more than adequate, though in the countryside staff shortages and a lack of paediatricians pose serious problems.

246. Under the authority of the Ministry of Health there were 10 children's health resorts, which provided rehabilitation treatment for children aged up to 15 suffering from various ailments. Two of them have now been privatized, although until 2000 they were accepting State-funded patients. Since 2001, for lack of budgetary funds, the scale of State-funded treatment in sanatoriums has dropped sharply. Only two children's sanatoriums remain under Ministry of Health control.

247. The health-care system is currently being reformed with the objective of adapting health-care institutions to the general economic situation in the country. The organizational, legal and economic changes are designed to streamline forms of payment and conditions for the provision of medical services to the public. The process of expanding the private sector in the health field and privatizing medical institutions has begun, though it has affected child health services very little. The health-care reform also presupposes the development of a system of family medicine for outpatients in polyclinics. The principles of medical care for children and adolescents are also being incorporated into the education system. The paediatrics faculty in Erevan Medical Institute was closed in 1996.

248. In 2001 the Government approved a blueprint for streamlining the health-care system. This involves reducing the number of beds in hospitals which are not heavily used, and closing or merging individual institutions. There is a trend for polyclinics serving children and those serving adults to be merged. As a result of these efforts, the numbers of children's beds and obstetric and gynaecological beds are being cut by 30 to 40 per cent.

Birth rate, death rate and natural growth in the population

249. The permanent population of Armenia on 1 January 2001 was 3,802,400, a fall of 900 from the previous year.

250. The issue of natural growth in the population is one of Armenia's most important problems. In recent years the number of births has fallen by more than half in both absolute and relative terms (22.5 per thousand in 1990, 9.0 per thousand in 2000).

251. The death rate has been varying between 6.2 and 6.6 per thousand (it was 7.4 per thousand in 1993), and stood at 6.3 per thousand in 2000.

252. Natural growth in the population (per thousand) has fallen by a factor of more than six (16.3 in 1990, 2.7 in 2000). However, in contrast to various CIS countries, natural population growth in Armenia remains positive.

253. It should be mentioned that the official figures given above were calculated on the basis of figures for the permanent population. The actual population is much smaller because of underreporting of migration. Correcting the population figures would show a fall in the birth rate of only 47.4 per cent instead of 60 per cent.

Primary health care and programmes for disease prevention

254. Article 2 (a) of the Medical Assistance and Services Act provides that primary health care, as a form of medical care and service based on methods and technology available to all, is guaranteed by the State. The changes which have been taking place in recent years are largely

aimed at improving primary health care and reducing and streamlining the numbers of hospital beds. The principles of affordability of medical care are being applied: young children are no longer automatically hospitalized, medical services are brought closer to the population, and patients are entitled to “inpatient care at home” or “daytime-only inpatient care”.

255. The main programmes are designed to lower the death rate among children and prevent disease. The programmes to control acute diarrhoeal diseases and acute respiratory infections, improve nutrition for under-5s, pregnant women and nursing mothers, support breastfeeding and promote immunization are directed towards strengthening primary health care through polyclinics. At this stage the measures are intended to increase doctors’ knowledge and broaden their rights, and to supply children’s clinics with medicines. All the programmes are aimed at improving the general level of medical awareness among mothers in respect of childcare, nutrition, and so on. They are all implemented with support from international organizations (WHO, UNICEF, etc.).

National immunization programme

256. Armenia’s immunization programme was drawn up and approved by the Ministry of Health in 1994 on the basis of WHO recommendations and experience in developed countries. The programme targets poliomyelitis, diphtheria, tetanus, whooping cough, measles, epidemic mumps, tuberculosis (in part), and, since November 1999, hepatitis B. Activities under the programme were aimed at lowering morbidity and mortality arising from these diseases by ensuring a high level of immunization coverage of the target population under a national timetable, the creation of a cold chain to ensure effective and safe vaccination, and high-quality epidemiological monitoring.

257. A streamlined timetable of preventive vaccination has been introduced under the programme, the policy relating to contraindications has been reviewed and a set of methodological documentation has been prepared. During the period under review subprogrammes were devised and implemented on diphtheria control, mass immunization against diphtheria, the MEKAKAR operation and the elimination of poliomyelitis, and a subprogramme on mass immunization against mumps was partially implemented.

258. Since 1995 Armenia, together with 33 countries in the European and East Mediterranean regions in which poliomyelitis is endemic, has participated in a large-scale operation known as MEKAKAR, whose aim is the worldwide elimination of poliomyelitis, as well as national days of immunization against poliomyelitis, and, since 1998, MEKAKAR PLUS.

259. In 1996 epidemiological monitoring was introduced for acute flabby paralysis, and is now successfully conducted throughout the country.

260. In June 2000 Armenia submitted documentation in support of an application for certification of the country as free of poliomyelitis.

261. In 1997, in accordance with WHO recommendations, a system of intensified monitoring of post-vaccination complications was introduced, making it possible to respond promptly when poor-quality vaccine is supplied to health institutions.

262. As a result of the organizational, preventive and medical measures taken during the six years when the programme was active, preventive vaccination coverage against the diseases covered by the programme reached a level safeguarding the public against epidemics (86-90 per cent). From 1999, the level of 90 per cent was reached for all types of vaccination, with higher levels reached in 2000 for certain vaccinations (excluding mumps): diphtheria - 93.3 per cent, poliomyelitis - 96.2 per cent, whooping cough - 92.2 per cent, measles - 91.0 per cent, tetanus - 91.3 per cent and tuberculosis - 96.4 per cent. There were no organized imports of mumps vaccine during the years in question, and practically no vaccinations were given.

Table 5
Immunization coverage, 1990-2000

Year	Poliomyelitis	Diphtheria	Whooping cough	Measles	Mumps	Tuberculosis
1990	93.3	82.3	80.4	94.8	85.9	92.3
1991	91.8	83.0	80.7	93.3	84.2	85.6
1992	91.9	85.2	77.4	93.1	84.1	88.2
1993	91.9	85.3	82.1	95.2	81.1	83.5
1994	92.0	86.0	83.0	95.0	78.0	83.0
1995	93.0	98.0	87.0	96.0	5.0	84.0
1996	97.0	86	85	89.0	0	82.0
1997	97.0	88.1	86.9	91.5	0	72.3
1998	96.4	91.3	82.6	94.2	0	94.7
1999	96.5	92.1	91.1	91.0	0	93.4
2000	96.2	93.3	92.2	91.6	0	96.8

Source: Ministry of Health.

As a result, the epidemiological situation in respect of the targeted diseases was under control: the diphtheria epidemic which struck almost all the countries of the former Soviet Union in the 1990s was successfully prevented from spreading.

263. Since June 1995 not a single case of poliomyelitis caused by the wild polio virus has been recorded. No epidemics of the other targeted diseases have broken out. There has been a significant fall in the incidence of whooping cough and measles. Isolated cases of tetanus were recorded, a continuous growth in tuberculosis morbidity among children aged up to 14 was reported, and isolated cases of tuberculous meningitis were recorded.

Table 6
Incidence of targeted infectious diseases among children, 1990-2000
(per 100,000 children)

Year	Poliomyelitis	Diphtheria	Whooping cough	Measles	Mumps	Tuberculosis	Hepatitis B
1990	1.1	0.18	42.5	69.9	139.3	23.6	24.7
1991	0.09	0	25.5	1.99	69.4	18.1	3.99
1992	0.08	0	8.87	3.19	56.6	23.7	10.03
1993	0	0.08	8.54	21.0	43.5	24.9	10.95
1994	0.5	1.7	32.1	13.0	26.8	23.9	9.4
1995	0.3	1.7	1.2	15.6	73.9	28.4	8.2
1996	0	0.4	0.2	166.4	172.9	31.6	10.9
1997	0	0.49	0.49	62.4	97.1	-	6.47
1998	0	0.5	2.3	5.2	467.3	120.5	11.5
1999	0	0.3	1.3	4.1	1 138.0	130.9	12.5
2000	0	0	0.3	0.4	326.9	68.1	3.6

Source: Ministry of Health.

264. The only disease covered by the programme that is currently causing concern is mumps. Programmes of vaccinations against this infection were halted in 1994 owing to a lack of funds to purchase the vaccine, and have not resumed. Since 1995 morbidity has increased steadily (39-fold), reaching a peak in 1999 (11,348 cases compared with 285 in 1994).

265. No cases of diphtheria or poliomyelitis were recorded in the year 2000. Other cases recorded among children aged up to 14 were: tetanus - 1 case, measles - 4 cases, whooping cough - 13 cases, mumps - 3,260 cases and tuberculosis of the respiratory organs - 14 cases.

266. In recent years epidemiological monitoring of post-vaccination complications has been carried out: one isolated case of death from vaccination was recorded owing to an error by the medical staff, and the use of reactogenic serum of AKDS vaccine produced in India was halted. Thus, over a six-year period the programme fulfilled the main objectives set for the period up to the year 2000, except for mumps.

Supply of vaccines

267. Since 1994 Armenia has obtained its supplies of vaccines, apart from mumps vaccine, and single-use syringes mainly through UNICEF and partly from other donors. Since 1998 the requisite quantities of boxes for the safe disposal of syringes have also been imported. Over a period of five years from 1997 a step-by-step shift to domestic supply of vaccines was scheduled: in 1997 the Ministry of Health purchased one of the seven vaccines under the programme (BCG), in 1998 two (BCG and ADT). In 1999, on instructions from the authorities responsible for disease control, 50,000 doses of mumps vaccine were purchased, followed by 80,000 doses in 2000.

Morbidity

268. The rise in morbidity among adults and children is expressed per 100,000 persons using statistical data for 1988-1990. From 1992 onwards, overall morbidity has fallen significantly. However, the statistical data do not correspond to the facts, owing to the following factors:

(a) There has been a sharp drop in the number of visits to doctors and hospitalizations (reasons: less affordable medical care, difficulties with medicines, sharp worsening of the social and economic situation, etc.);

(b) There has been a deterioration in the collection and recording of statistics.

The fact that morbidity has actually not fallen, but risen, is confirmed by the rise in the death rate from specific diseases (tuberculosis, ischaemic heart disease, hypertension, cancer, etc.).

Table 7

Morbidity ratio according to confirmed diagnoses, 1988-2000

Adults and children	1988	1989	1990	1992	1993	1995	1997	1998	1999	2000
(a) Per 100,000 persons aged over 15	20 946.4	28 526.4	27 274.0	21 686.4	17 750.4	16 040.0	13 880.0	11 807.3	12 527.7	11 470.9
(b) Per 100,000 children aged under 15	44 258.0	52 032.0	50 061.0	34 611.8	30 675.0	30 535.0	29 918.0	27 695.8	29 586.2	26 068.3

Source: Ministry of Health.

269. Morbidity among children is mainly recorded as a result of disorders of the respiratory, urinary and nervous systems, tuberculosis and cancer. Injuries to children remain at a high level.

270. Data on morbidity among the newborn, shown in table 8 below, are relatively reliable.

Table 8

Morbidity among the newborn (per 1,000 live births), 1985-2000

1985	1990	1991	1992	1993	1994	1995	1997	1998	1999	2000
93	109.8	111.9	98.6	106.3	107.1	112.7	123.7	134.9	141.9	128.0

Source: Ministry of Health.

271. Over the past 10 years the indicator of overall morbidity among the newborn has risen by over 14 per cent. The number of premature births is almost 20 per cent up on 1990.

Table 9
Premature births, 1985-2000

Premature births per 1,000 confinements	1985	1990	1991	1992	1993	1994	1995	1997	1998	1999	2000
	61	56	56.5	62.8	63.5	58.3	62	68	71	72	68.9

Source: Ministry of Health.

HIV/AIDS

272. Between 1995 and 2000, a total of 134 cases of HIV infection were recorded in Armenia. The overwhelming majority of them were men (100 cases - 75 per cent) and women (34 cases - 25 per cent). Most of the HIV cases (81.3 per cent) were young people aged between 20 and 30.

Table 10
Extent of HIV/AIDS, 1995-2000

Year recorded	HIV-infection			AIDS			Number of deaths		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
1995	3	3	-	3	3	-	2	2	-
1996	27	19	8	7	7	-	3	3	-
1997	37	30	7	2	2	-	1	1	-
1998	9	5	4	2	1	1	2	2	-
1999	35	26	9	8	6	2	1	1	-
2000	29	23	6	3	2	1	5	4	1
Not known	-	-	-	-	-	-	1	1	-
Total	140	106	34	25	21	4	15	14	1

Source: AIDS Prevention Centre.

As can be seen from the table, the level of HIV cases in 1999 was fairly high.

273. During 2000, 29 new cases of HIV infection were recorded, representing 22 per cent of the total number of cases of HIV infection and more than three times the 1998 figure. By September 2001, 18 persons had died from AIDS, including 5 in 2000 and 3 in 2001.

274. The main routes of HIV infection are intravenous drug use (48.3 per cent) and heterosexual transmission (41.6 per cent).

275. More than half the HIV cases were recorded in Erevan. Second place in the spread of HIV infection is held by Gegharkunik province.

276. Up to 1998 no treatment was given to carriers of the AIDS virus or HIV-infected persons. The process of treatment began in 1998 when treatment using the new drug Arminicum was introduced. Between 1998 and 2000 more than 190 patients from 13 countries

received this treatment, 50 of whom were Armenian citizens. Currently the drug is at the clinical testing stage. Preliminary results point to a significant improvement in the health of the patients.

277. Until 1997 all pregnant women were tested for HIV infection. However, no case was found. Currently only pregnant women in risk categories are tested - no more than 3-5 per cent of cases. In 2000 HIV infection was recorded for the first time in two pregnant women. In 2000-2001 three cases of HIV infection by the perinatal route were recorded. The first sick child with AIDS was hospitalized in January 2001, and later died.

Sexually transmitted diseases (STDs)

278. STDs also remain a cardinal problem in terms of protecting reproductive and sexual health. The problem is of particular importance for women, among whom STDs are substantially more prevalent than among men.

279. Despite a small reduction in STD morbidity over the past three years, the situation remains unsatisfactory. Indicators for syphilis and gonorrhoea are markedly above their 1990 levels.

Environment

280. As early as 1922 the Armenian Parliament passed a Health and Safety Act.

281. The various ministries and departments in Armenia have networks of services which monitor the environment in the context of their own spheres of activity. The machinery for coordinating these services is unsatisfactory, making it difficult to obtain an overall picture of environmental pollution.

282. Armenia has a vast number of sources of industrial air pollution (road transport, power generation, production of chemicals, construction materials and non-ferrous metals). Meanwhile, treatment plants have become less effective and leaded petrol is more widely used. Typical air pollutants are dust, oxides of nitrogen and hydrogen, some hydrocarbons and tin. Respiratory diseases are more prevalent than other groups of diseases.

283. In recent years, owing to the difficulties of replacing old water pipes, contamination of drinking water and failures in the water supply system, there have been serious outbreaks of infectious diseases (basically diarrhoea: bacillary dysentery, shigellosis and typhoid fever). Only one such outbreak occurred in 1988-1991, but there were five in 1992 and seven in 1993. The situation subsequently improved (1994-1995), but then worsened again, and in 1998 there was an outbreak of cholera.

Medical services for pregnant women

284. Medical services for pregnant women include inpatient and outpatient care. Women can register at prenatal clinics from the twelfth week of pregnancy, and they have between 6 and 10 check-ups during pregnancy (depending on the progress of the pregnancy).

285. The performance of the prenatal clinics has deteriorated, the number of visits to doctors has fallen and complications during pregnancy and cases of difficult births have increased. The number of pregnant women under early observation (before the twelfth week) was nearly 40 per cent lower in 2000 than in 1990. The proportion of pre-eclampsia and eclampsia in late toxicosis cases has increased sixfold (3.8 per cent in 1990, 22.8 per cent in 1998 and 266 per cent [sic] in 2000). The incidence of anaemia among pregnant women also increased more than tenfold between 1990 and 2000.

286. Births generally take place in maternity hospitals. However, because of the economic crisis in recent years there has been a considerable increase in the number of births at home, which are not always attended by qualified medical staff. Official measures have led to a reduction of more than half in births at home over the past three years.

Table 11

Percentage of births at home, 1985-2000

1985	1987	1990	1993	1994	1995	1997	1998	1999	2000
0.7	0.6	0.3	4.5	6.5	7.2	3.9	3.1	2.7	2.6

Source: Ministry of Health.

287. The health of new mothers is monitored at women's clinics for 40 days after giving birth, and the newborns are monitored in children's clinics. Infants are examined by paediatricians 10-12 times in their first year.

Maternal mortality

288. Maternal mortality (per 100,000 live births) is the basic measure of obstetric and gynaecological care. This indicator has been evolving as follows:

Table 12

Maternal mortality, 1990-2000

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
National Statistical Service	40.1	23.1	14.2	27.1	29.3	34.7	20.8	38.8	25.1	32.9	52.5
Ministry of Health	53.8	37.3	22.7	40.7	37.2	26.6	31.2	38.6	20.2	32.9	69.0

289. The difference between the Ministry of Health and National Statistical Service figures may be ascribed to the following causes:

- (a) Citizenship - cases of maternal mortality involving foreign citizens are not recorded in official statistics, but are reflected in the records of medical institutions;
- (b) Promptness with which deaths are recorded at the civil registration offices;

(c) Quality of information on deaths. Sometimes cases are not recorded as maternal deaths because of incomplete or incorrect registration (as when the word “pregnancy” is omitted in cases of disorders of the external genitalia).

290. Year-to-year variations are attributable to the country’s small population. For such cases WHO recommends averaging the indicator over three years, giving a more reliable trend.

Table 13

Maternal mortality over three-year periods, 1989-2000

Year	Number of live births	Number of maternal deaths	Indicator of maternal mortality
1989-1991	233 475	98	41.9
1992-1994	179 181	59	32.9
1995-1997	140 059	45	32.1
1998-2000	112 180	46	41.0

Source: Ministry of Health.

291. The trend shows that maternal mortality fell by 23 per cent between 1989-91 and 1995-97 (table). The target set for 2000 (20 per 100,000 live births) was not reached; indeed, there was a rise in the average level of maternal mortality over the period 1998-2000 (41 per 100,000 live births). According to WHO data, given a correct approach and the availability of resources, this indicator can be reduced by 50 per cent - and this, of course, is our country’s strategic goal. The rise in maternal mortality is due to poor-quality and incomplete preventive work and the low overall affordability of medical care.

292. The indicator of maternal mortality for the period 1998-2000 was significantly higher than the level for the European Union (8.8 per 100,000 live births), and corresponds roughly to the level of maternal mortality in the CIS countries (40 per 100,000 live births).

293. Between 1990 and 2000, 231 women died from complications during pregnancy and childbirth; 7 of these deaths (3 per cent) did not occur in hospitals. In the Russian Federation the indicator stands at 8.8 per cent. Maternal deaths away from hospitals are largely due to the rise in the level of home-based childbirth.

294. In rural areas the maternal mortality indicator is higher, owing to the lack of specialist medical services. Most of the deaths occur in the 20-29 age group (75 per cent of cases). The immediate causes of maternal mortality are haemorrhaging, hypertension, eclampsia, infections and abortions.

Nutritional status of children and women

295. The socio-economic crisis experienced by Armenia in recent years has led to an unvaried diet. The constantly rising food prices in the context of marketization make fully adequate nutrition of expectant mothers, new mothers and infants impossible. A diet consisting largely of carbohydrates provides energy but does not meet the body’s need for protein, which is very important for intensive foetal development.

296. The unbalanced and unplanned food intake of infants leads to chronic malnutrition, vitamin deficiencies, allergies, enteric infections and non-infectious illnesses. A planned and varied diet, including feeding exclusively from the breast up to the age of six months, is obviously very important for infant health.

297. After the earthquake, there was a decline in the proportion of children being breastfed. In 1994 this decline became catastrophic. The proportion of children aged 1 and under who were fed exclusively from the breast during their first four months fell more than threefold between 1988 and 1994. Thanks to a breastfeeding support programme implemented during the subsequent six years, the figure was raised to 60 per cent by 2000.

298. The data on anaemia in early or late pregnancy reflect the situation very clearly. The statistics on anaemia cases are derived mainly from information supplied by prenatal clinics and maternity hospitals.

299. It should be noted that anaemia in early or late pregnancy has increased more than tenfold compared with the 1980s. This phenomenon is attributable to the reduced intake of proteins and iron, for which there is a greater demand during pregnancy than the resources of the woman's organism can usually supply in sufficient quantities. The problem is exacerbated by the fact that, in the present social and economic crisis situation, the diet of pregnant women is much poorer in proteins and vitamins; this phenomenon accounts in large part for the greater number of cases of anaemia in the early and late stages of pregnancy.

300. A programme has been implemented under UNICEF auspices since 1994 to distribute vitamins and iron supplements to all pregnant women through the prenatal clinics. Some improvement in the situation is reflected in the slower rate of growth of this indicator. However, since 1998 the situation has worsened once again, owing to the exacerbation of the social situation over the past two or three years.

301. It is known that an inadequate intake of vitamins and minerals, especially during pregnancy, leads to a higher proportion of underweight babies and to higher morbidity and mortality rates. The indicators concerning underweight infants also provide evidence of this phenomenon. The proportion of babies with low birth weight (2.5 kilograms or less) was 6.3 per cent in 1990, 8.5 per cent in 1999 and 8.2 per cent in 2000.

Table 14

Newborn children with low birth weight (<2,500 g), 1985-2000

Percentage of all births	1985	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
	6.3	6.3	6.6	7.7	7.8	7.8	8.0	7.9	7.9	8.3	8.5	8.2

Source: Ministry of Health.

Although this indicator falls below 10 per cent (the international target set for the year 2000), the increase of almost a quarter in the last few years indicates the growing urgency of this problem.

Nutritional status of children up to age 5

302. Since May 1993 the National Health Institute of the Armenian Ministry of Health, together with the United States Centers for Disease Control and Prevention, has been conducting studies on the nutritional status of children aged 3 to 59 months in eight children's clinics in Erevan. Data on the weight, age and growth of the children have been collected by random sampling of children attending these clinics. According to the findings of these studies, almost no acute malnutrition was observed in the groups studied. However, the children are clearly developing more slowly, presumably because of the country's serious socio-economic situation and their unbalanced diet. The unvaried and largely carbohydrate-based diet of the last few years may lead to an increase in body weight over the short term; however, protein, micronutrient and vitamin deficiencies, while not as yet influencing growth rates, may adversely affect children's health and the adaptability of the organism, with longer-term implications. This was confirmed by research carried out by UNICEF and the Ministry of Health in 1998, with the assistance of specialists from the National Institute of Nutrition in Rome. They identified chronic malnourishment in 13 per cent of children (15.6 per cent in the countryside), and deficiencies of iron (16 per cent for women and 25 per cent for children) and iodine (33 per cent for women and 31 per cent for children). Further evidence of the worsening nutritional status of children is offered by preliminary data from the national medical and demographic survey in 2000, which highlighted chronic malnourishment (14 per cent) and anaemia among children (16 per cent in the towns and 33 per cent in the countryside).

Adolescents, information on health care

303. Armenia has a high level of literacy. According to the 1989 census, the literacy rate is 99.1 per cent, thus allowing for a satisfactory level of accessibility, use and comprehension of health information among the public. Today, as for many years in the past, health information is supplied to the public from two main sources: the health education network operating within the health system, and secondary schools within the educational system. The capacity of both is limited. In neither system does the information provided on health and hygiene meet today's requirements. Information is provided to pupils in schools together with teaching of the natural sciences, mainly biology, and is therefore not of the requisite quality.

304. A number of studies by the National Health Institute have found that school leavers are insufficiently aware of elementary medical and hygiene matters. The information vacuum is filled with the help of informal sources (friends, video films, popular science books, cheap magazines, etc.). This information is interpreted without assistance and often incorrectly, the main danger being that it may progressively give rise to beliefs which are then put into practice.

305. Article 7 of the Medical Assistance and Services Act stipulates that "everyone has the right to information in accessible form concerning his or her health, the results of examinations, the diagnosis, methods of treatment, the risks associated with illness, possible options for medical intervention, and the effects and results of treatment".

306. Analysis of the situation regarding awareness of family planning points to the need for fertility regulation. Studies conducted in 1997 with WHO support show that artificial

interruption of pregnancy is still the basic means of fertility regulation. The main reason is the unsatisfactory standard of family planning services, the extensive use of ineffective means of contraception and the low level of public awareness of family planning.

Traditions which have an adverse effect on child health

307. Although Armenia occupied only eighth or ninth place among the former Soviet republics in terms of the main indicators of socio-economic development, that ranking concealed a very important factor - greater social stability than in other republics: low incidence of divorce, illegitimacy, juvenile crime, suicide or self-mutilation, drug addiction and alcoholism. Thus, according to 1990 data, the number of juvenile offences in 1989 was the lowest of any of the 15 former Soviet republics and a twentieth of the figure for Russia. The proportion of children born out of wedlock - 8 per cent - was also lower than in Russia (14 per cent), Estonia (25 per cent) or Ukraine (11 per cent). The suicide and self-mutilation rate is very low, at an eighth of the figure for Russia. However, the deterioration in the social and economic situation has somewhat modified this picture. Crime among adolescents rose by 60 per cent between 1995 and 1997, and the number of children born out of wedlock more than tripled (from 7.8 per cent in 1989 to 25.8 per cent in 1997). Despite these trends, it may be stated unequivocally that traditional customs which adversely affect children's health are not characteristic of the Armenian people.

C. Social security and childcare services and facilities (arts. 26 and 18, para. 3)

308. Under article 33 of the Constitution, every citizen is entitled to social security in respect of old age, disability, sickness, death of a breadwinner, etc.

309. Under the State Pensions Act of 29 December 1995, which sharply downgraded pension coverage for women, including mothers, as compared with the 1992 Act and the pensions legislation dating from the Soviet period, women are entitled to receive a retirement pension from the age of 63 (previously 55), while mothers of four or more children, and those caring for children aged up to 16 who have been registered as disabled from birth, receive a pension from the age of 58 (previously 50) (articles 12 and 13 of the Act); children aged up to 16 who have been disabled from birth receive a regular allowance equivalent to 120 per cent of the basic pension, i.e. 2,920 drams or 6 dollars (arts. 34 and 35); on the death of a breadwinner, each child who has lost one parent receives around 6 dollars, while each child who has lost both parents receives around 7-8 dollars (art. 26).

310. The shift to a system of family allowances as from January 1999 has failed to resolve the problem of subsistence for large families with meagre resources.

311. A scheme for evaluating the needs of families has been in operation since 1993. At the beginning of 2001 the total number of families registered in this scheme was 318,500:

Number of families receiving an allowance - 186,623

Number of children in families receiving an allowance - 231,385

Total number of families headed by single mothers - 13,888

Number of children in families headed by single mothers - 21,740

Number of families containing disabled children - 6,296

Number of disabled children in families - 6,905

Number of large families (four or more children) - 22,296

Number of children in large families - 97,272.

312. The total number of families living in the disaster zone who are registered with the scheme is 101,760:

Number of children who have lost one parent - 10,888

Number of families containing children who have lost one parent - 4,323

Number of families containing children who have lost two parents - 286

Number of children who have lost two parents in families - 539.

313. The total number of families living in temporary housing in the disaster zone is 11,427 (information supplied by the Social Services Department of the Ministry of Social Welfare).

D. Standard of living (art. 27, paras. 1-3)

314. Article 31 of the Constitution stipulates that “all citizens have a right to a satisfactory standard of living for themselves and their families, including a right to housing, and also a right to improve their standard of living. The State shall take the necessary steps for the realization of this right”.

315. Article 8 of the Children’s Rights Act stipulates that “every child shall have the right to the conditions of life necessary for his or her full physical, mental and spiritual development. The main responsibility for providing the necessary conditions of life for the child’s development shall be borne by the child’s parents or other legal representatives. Where the parents or other legal representatives are unable or find it impossible to provide the child with the necessary conditions of life, appropriate assistance shall be provided by the State”.

316. Article 13 of the Act stipulates that “with a view to guaranteeing the child’s all-round care and upbringing within the family, the State and its relevant organs shall assist the parents or other legal representatives in ensuring the child’s well-being and encourage the activities of psychological, educational and advisory services in support of the family”.

317. Under government decision No. 727 of 19 November 1998, a system of family allowances to combat poverty was introduced from 1 January 1999, underpinned by a points-based system for evaluating the needs of families. This system was introduced in order to mitigate the negative impact of social and economic circumstances in Armenia, to prevent the growth of poverty and to provide targeted State help to families below the poverty line.

318. Expenditure on family allowances from the State budget was 21,149,979 drams in 1999, or 5,827 drams per quarter, [sic] 79,000,000 drams in 2000 and 165,000,000 drams in 2001. The family allowance to combat poverty is granted to families if their needs exceed a threshold set by the Government for each calendar year. The system of family allowances to combat poverty replaced a system composed of various allowances, concessions and compensation payments which were granted to children in specific socially vulnerable groups, irrespective of the extent of their families' needs. At the beginning of 2001 a total of 318,500 families were registered in the system for the evaluation of family needs.

319. In 1999 and 2000 humanitarian aid totalling 1,024,750,000 drams was distributed to 315,000 families by the Ministry of Social Welfare. In April this year aid in the form of goods was granted to deprived families under the new programme of humanitarian assistance.

320. Over a period of one month in 1996, with technical support from the World Bank, the Department of Statistics, Registration and Analysis carried out a sample survey of 5,040 households. The main purpose of the survey was to study the standard of living of the population in the transitional period and identify patterns of poverty in the country. The extent of poverty has increased sharply during the period of transition.

321. With help from World Bank specialists, ways and means of evaluating poverty were selected and appropriate calculations were carried out to determine the absolute poverty line. Calculations of the absolute level of poverty are based on expenditure on food. The food basket and the coefficient of expenditure on goods and services were used to calculate the actual minimum consumer basket, whose cost was defined as the poverty line. In this way, all households in Armenia, as well as members of households, were divided into three groups: non-poor, poor and extremely poor.

Table 15

	Population (per cent)
Total	100
Non-poor	45.3
Poor	27.0
Extremely poor	27.7

Poverty and household size

322. A correlation was noted between poverty and household size. The greatest risk of poverty is found in households containing many dependants.

Table 16

	Average number of household members	
	Household size (members)	Number of children in the family
Total	3.94	1.26
Non-poor	3.57	1.07
Poor	4.13	1.35
Extremely poor	4.52	1.55

323. While the average household size for the whole sample was 3.9, it was 4.1 for the poor, and 4.5 for the extremely poor. Extremely poor households had the highest number of children (1.55 as against 1.07 for non-poor households). The extremely poor made up 20.7 per cent of married couples with one child, 19.5 per cent of those with two children and 27.3 per cent of those with three or more children.

324. Conspicuous poverty is found in households with eight or more members. Of such households 40.2 per cent were extremely poor, 23.4 per cent poor and only 36.4 per cent non-poor.

325. Regression analysis shows that the presence of one child in a family increases the poverty level by 6.9 per cent in comparison with a family with no children.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance (art. 28)

326. The education system in Armenia was set up as a constituent part of the unified educational complex of the former Soviet Union, and inherited both its positive and its negative features. While retaining traditional, positive priorities, the leadership of the Republic is endeavouring through reform to raise the education system to world standards. With this in mind an Education Act was adopted in May 1999 as the legal framework for all reforms designed to upgrade education in Armenia. In accordance with article 6, paragraph 3, of the Act, the State guarantees citizens free general secondary education and, subject to competitive access, free secondary, higher and postgraduate vocational training in State educational institutions.

The sphere of general education

327. In the academic year 1999-2000 there were 1,436 free State schools with a total enrolment of 581,764, and 23 private schools with a total enrolment of 2,230, equivalent to 0.4 per cent of the number of pupils in State schools.

328. The number of schools (day schools and evening schools) in the disaster zone (in the areas hit by the earthquake) is shown in table 17 below.

Table 17

	1996	1997	1998
Shirak	175	178	179
Lori	177	169	169
Tavush	83	85	85
Total	435	432	433

329. The number of children of school age who are not attending school is shown in table 18 below.

Table 18

	1995	1996	1997	1998
Number (thousands)	125.5	123.0	121.5	123.6
As a percentage of the total number of children aged 7 to 16	21.5	20.7	20.2	20.5

Source: Ministry of Statistics.

Table 19

Causes of non-attendance at classes and non-holding of classes

(a) According to head teachers

Causes of non-attendance	Percentage
Poor health	49.7
Poor facilities	25.7
Lack of books and school supplies	7.2
Pupils obliged to work in order to help their families	10.2
Pupils visit private tutors during classes	4.8
Other	2.4

(b) According to teachers

Causes of non-attendance and non-holding of classes	Percentage
Poor health of teachers	21.8
Teachers have family problems	3.9
Additional work in order to survive	6.3
Pupils' lack of interest in studies	13.7
No reply	54.3

(c) According to pupils

Causes of non-attendance and non-holding of classes	Percentage
Poor health	53.9
Poor facilities	18.5
Lack of books and school supplies	3.9
Pupils obliged to work in order to help their families	15.8
Pupils visit private tutors during classes	2.6
Other	5.3

Source: National Statistical Service.

330. For all three levels of general education (primary, secondary and senior classes), special curricula are designed for teaching human rights, as well as the foundations of democracy and civil society. These will be incorporated into the syllabus during the period 2000-2002. Some of these curricula are already being taught, while others are in the process of development.

331. For primary school pupils (forms 1 to 3), with help from the Norwegian Refugee Council, a textbook entitled *Hello, It's Me: My Rights and Obligations* has been prepared and published. Using this book, children can be introduced to basic concepts in the field of human rights. With the aim of successfully implementing curricula for human rights education in primary classes, the Centre for Educational Reform in the Ministry of Education and the Norwegian Refugee Council are organizing retraining courses for teachers.

332. The publication of a textbook, entitled *Foundations of the State and the Law*, for pupils in the senior classes, was a significant step forward in civic and legal education in general education schools. Study of the following subjects will begin in the new academic year (2000-2001): "Human rights" (form 8), "Civics" (form 9) and "Foundations of the State and the law" (form 10). At the same time, guidance is being devised for teachers in forms 7 to 10 on legal topics.

333. In cooperation with various international and local voluntary associations (WB, SIDA, UNICEF, etc.), the Ministry is implementing a programme of reform in boarding schools. The programme has two main elements:

- (a) Upgrading the level of education and living conditions in boarding schools;
- (b) Development of a system of social support for children who need special educational facilities, in order to halt the flow of children into boarding schools.

334. Under the supplementary programme for textbooks which forms part of the programme for the reform of educational funding and management, publication of textbooks for general education schools was completed in 2001. As a result, all pupils will be provided with textbooks, and those from deprived families will receive them free of charge.

335. In 2000, with help from UNICEF, a survey was conducted of children who for various reasons had not received an education. This year it is planned to publish the findings of the survey and to convene a scientific conference to consider ways and means of addressing the needs identified.

336. Three-month classes for children who have not attended kindergarten have been held since 2000, with a view to preparing them for school.

Vocational training

337. Under article 35 of the Constitution, every citizen has the right to education, including the right to free vocational training in State educational institutions, subject to competitive access. Currently 77 State secondary vocational establishments and 10 subsidiary establishments are operating in Armenia, and 25,257 students are studying over 100 subjects in them, including 10,411 State-sponsored students. Grants for State-sponsored students stand

at 4,800 drams. Tuition fees in fee-paying departments range from 60,000 to 150,000 drams, depending on subject. Since the level of State sponsorship has remained constant over the past two or three years, the number of students studying in fee-paying departments is rising. Secondary vocational educational establishments or their subsidiaries are operating in all the country's provinces, as shown in table 20 below.

Table 20

Province	Number of secondary vocational educational establishments	Subsidiaries
Erevan	29	0
Shirak	10	0
Lori	9	0
Syunik	7	0
Gegharkunik	6	2
Tavush	5	0
Kotayk	5	1
Aragatzotn	0	2
Armavir	4	1
Ararat	2	3
Vayots Dzor	0	1
Total	77	10

338. Citizens in the following categories are granted preferential access to secondary vocational establishments:

- (a) Group 1 and group 2 disabled persons and those disabled since childhood;
- (b) Children of dead military personnel and group 1 disabled military personnel;
- (c) Orphans aged up to 18.

Higher education

339. One of the most radical changes involved the introduction of three-tier higher education. The process of transition to three-tier higher education began long before the adoption of the Act. Three higher educational establishments, with a total student body of over 15,000 (Erevan State University, the Armenian State Engineering University and the Armenian Agricultural Academy), have already shifted to the three-tier system of education. The features of three-tier higher education are dictated by a desire not only to introduce generally accepted international standards, but also to introduce improved forms and methods of education, in particular in terms of scope for systematic testing. In addition, differentiation by grades of education makes it possible to regulate the depth of knowledge and skills and the requisite level of professionalism in specific fields. The process has been successfully completed in the above-mentioned institutions, and is being tested in others.

340. The second overall reform introduced in the educational field under the Education Act (chap. 4, arts. 36-44) relates to private (non-State) educational establishments. They have appeared as a result of the new economic relationships in Armenia, and specifically the introduction of market relations. Private educational establishments will be accredited after a legal framework has been created involving the requisite regulations on licensing. The development of the legal framework is nearing completion. The requisite machinery has been in operation in the Ministry of Education since October 1999.

341. Under the Education Act, the Ministry of Education and Science has drawn up a State programme for the development of education over the period 2001-2005, which is centred on raising the level of education and broadening the involvement of children in the system. The programme has been approved by the Government and by the National Assembly.

342. Set out below is a list of regulations drawn up and introduced in the system of higher education since the adoption of the Education Act, the purpose of which is to create a legal framework for the system of higher education and protect human rights within it. Certain regulations have been temporarily implemented pending the adoption of a Higher Education Act, namely:

- (a) Regulations concerning the council of rectors of higher educational establishments;
- (b) Procedure for licensing educational establishments;
- (c) Temporary procedure for recruiting the teaching staff of higher educational establishments;
- (d) Temporary procedure for selection of deans of faculties;
- (e) List of specializations involving five-year courses in higher education;
- (f) Lists of specializations in correspondence courses;
- (g) Temporary procedure for transfers of students between higher educational establishments;
- (h) Temporary procedure for selection of heads of department;
- (i) Regulations on the accreditation of higher educational establishments;
- (j) Regulations on the transfer of students of higher educational establishments to repeat courses, expulsion and readmission;
- (k) Regulations governing documents certifying attendance at courses of higher education;
- (l) Regulations governing surveys of students held to assign ratings to teaching staff;

- (m) Regulations governing methods for concluding contracts with teaching and administrative staff of higher educational establishments;
- (n) Principles of the national theory of higher education;
- (o) Temporary regulations on sitting and resitting State examinations and denial of admission to such examinations.

The purpose of the regulations listed above is to protect the rights of the teaching staff of higher educational establishments.

343. The rights of students protected under the Education Act are:

- (a) The right to free higher education, subject to competitive access (the right to higher education regardless of sex, age, ethnic origin, religion, race or citizenship);
- (b) The right to study in any type of higher educational establishment regardless of the curriculum followed and the type of ownership of the establishment;
- (c) The right to higher education using the most up-to-date curricula and standards;
- (d) The right to choose a specialization, where the sole possible restriction is denial of admission on grounds of health;
- (e) The right to continue studies in order to acquire greater knowledge of the occupation one has chosen;
- (f) An equal right for all to the testing of knowledge acquired;
- (g) The right to challenge the results of the testing of knowledge acquired.

344. In addition to the above, there are privileges which are strictly regulated under international treaties, the Constitution and Armenian legislation, namely:

- (a) Waiver of competition for access to higher educational establishments for children who have been disabled since birth, as well as group I [sic] and group II disabled persons;
- (b) For members of the families of military personnel who died for Armenian freedom and independence;
- (c) For personnel demobilized from the ranks of the regular Armenian armed forces;
- (d) The right to receive grants, both on a competitive basis, and for students in particular need;
- (e) A free medical examination once a year;
- (f) Provision of hostel accommodation for non-local students.

345. It is appropriate to mention that the introduction of specializations relating to the above-mentioned problem into Armenian higher educational establishments is of particular importance in the context of the protection of human rights. The origins of the problem are studied in almost all higher educational establishments, where a substantial part of the courses covers the problems of the environment, as an integral part of the protection of human rights.

346. With a view to improving the upbringing of children under school age, a programme to upgrade the skills of educators and heads was implemented in two provinces, while special courses for parents were given in five districts. The programme is to be implemented with the support of UNICEF.

B. Aims of education (art. 29)

347. Under the Education Act, the principles underpinning State educational policy are as follows:

Education has a humanist character, and priority is given to universal human values, human life and health, the free and all-round development of the personality, the inculcation of civic awareness, national dignity, patriotism, the rule of law and an ecological view of the world.

348. State educational standards are drawn up and published to serve as the basis for evaluation of the educational level and skills of graduates, irrespective of the type of education they have received or the legal or organizational status of the educational establishments concerned.

349. The main functions of pre-school education are as follows:

- (a) Creation of the foundations for the physical, moral and intellectual development of the child;
- (b) Creation of conditions for communication in the mother tongue and, on that basis, study of foreign languages;
- (c) Development of basic mathematical skills;
- (d) Familiarization with the basic rules of behaviour, the components of the Armenian environment and ecology, its history and national culture;
- (e) Formation of a sense of love for and devotion to the Motherland;
- (f) Acquisition of basic working skills and abilities;
- (g) Preparation for school education.

350. The main functions of general education are as follows:

(a) Acquisition by the pupils of fundamental knowledge of nature, society, technology, industry and ecology, and creation of the requisite conditions for their independent education and development in the system of lifelong education;

(b) Shaping of individuals and citizens who are attached to universal human and national values, who receive and transmit the national cultural, moral and psychological heritage and have a proactive civic attitude.

351. The main function of vocational education is the training of students who have received a basic general education for work requiring an initial vocational qualification.

352. The purpose of higher vocational education is to provide training and further training for the acquisition of high-level vocational skills, and to meet demand from individuals to pursue their training after basic general and secondary vocational education.

C. Leisure, recreation and cultural activities (art. 31)

353. The Education Act defines extra-curricular activities as follows:

(a) The purpose of extra-curricular activities is to create conditions for the development of pupils' interests through the organization of their leisure. They are directed towards their spiritual, aesthetic and physical development, the inculcation of military and patriotic values and the acquisition of ecological and applied knowledge;

(b) Extra-curricular activities are provided through centres for children and young people specializing in creativity and aesthetics; music and art schools and schools for the arts; clubs; centres for young patriots, technicians, nature lovers and tourists; sports academies; health camps; and other organizations offering extra-curricular activities.

The right of the child to an active life and participation in cultural life

354. The Ministry of Culture, Youth Affairs and Sport is responsible for the cultural education of children. Bearing in mind the specific circumstances in Armenia and existing cultural traditions, as well as experience accumulated in the sphere of education, and for the purpose of enhancing the process of learning, the Ministry of Culture's education department has developed and submitted to the Government a new blueprint for music schools, schools for the arts and art schools which addresses the issues of State support for such schools. The new blueprint makes it possible to identify and support talented and able children who cannot afford to pay for studies. Under the blueprint, and in the light of the specific equipment and facilities available in each school, as well as the availability of teaching staff, changes can be made in the syllabus.

355. In addition to the new syllabuses and class outlines which have been drawn up, with the aim of improving education and raising the quality of programmes for the most vulnerable categories of children, the Ministry of Culture is taking steps to identify the required resources. The Ministry oversees and guarantees high-quality education for disabled children. Together with the above-mentioned blueprint for music schools and schools for the arts, the Ministry organizes concerts, exhibitions and countrywide competitions, and helps young specialists to participate in masterclasses and international competitions.

Table 21**Cultural organizations in Armenia**

Type of organization	Description	Total number	Children participating
Cultural centres for ethnic minorities	Purpose: to preserve the cultural distinctiveness of ethnic minorities	Precise number not known	Yes
Unions of artists	Unions of composers, writers, architects, journalists, theatre workers and designers	Precise number not known	
Children's creativity centres	Units for music, dance, design and painting	Precise number not known	Yes
Schools for the arts	Music, drawing, dance and theatre	46	6 748
Young Spectator's Theatre	The theatre has groups for drawing, dance, music and recitation		
Children's music schools	Units for piano, string instruments, traditional instruments and wind instruments	122	25 678
Schools for painting	Painting, graphic arts, sculpture, design and history of the arts	25	1 599

Table 22**Operational music schools, schools for the arts and painting**

Districts	Music schools	Schools of painting	Schools for the arts	Total
Shirak	15	3	4	22
Tavush	8	2	2	12
Vayots Dzor	1	1	4	6
Gegharkunik	7	3	4	14
Syunik	5	2	6	13
Kotayk	8	1	15	24
Armavir	17	2	0	19
Ararat	15	3	0	18
Aragatzotn	8	3	2	13
Lori	17	4	6	27
Total, all districts	101	24	43	168
Erevan	21	1	3	25
Total	122	25	46	193

356. The Young Spectator's Theatre, founded in 1929, is the only children's theatre in the country. Each year more than 1,500 children are organized in various groups under the auspices of the theatre. Despite difficulties, the theatre has never suspended its activities, even in 1992-1994, during the severe economic crisis. The theatre has around 30,000 spectators each year, putting on 150 productions, which take place during the theatre season. Only 5 or 10 per cent of the tickets are sold in rural areas, despite low prices. The funds made available from the State budget are sufficient only to pay the salaries of the theatre staff. The theatre survives thanks to the help of sponsors and volunteers.

Opportunities for active leisure

Table 23

Institutions providing extra-curricular activities in Armenia

Institutions providing extra-curricular activities	Description	Total number in 1990	Total number in 2001
Young technicians' group	Teaching technical skills to children (construction, toy-making, basic model designing skills)	39	17
Young nature lovers' group	Study of nature-related subjects (zoology, nature protection, botany and medicinal plants)	17	8
Young tourists' group	Study of tourist itineraries in Armenia (for pedestrians, rock climbers, cyclists, skaters, etc.)	1	0
National centre for aesthetic education	There are groups for drawing, sculpture, design, music and dance. Exhibitions of children's work are organized	1	1 (plus 14 sub-centres)
Sports academies	Groups for various types of sport	111	94
Ex-palaces of pioneers	Study of history, art, science and technology	58	49
Total number of institutions providing extra-curricular activities		227	169

357. As the table shows, the number of institutions providing extra-curricular activities fell between 1990 and 2001 - or rather, the level of activities in such institutions fell, owing to a shortage of funds, modern technology and appropriate staff. The decentralization policy transferred the burden of funding and running such institutions onto families and communities. This transfer was in keeping with the educational reform policy, under which special attention is devoted to basic education. This is reflected in the section of the budget covering these institutions, which fell from 10.9 per cent of the total in 1995 to 2.2 per cent. Only a few such institutions continue to receive funds directly from the Ministry of Education and Science. The lack of a policy for vocational training and the fact that it is impossible to obtain funds from local communities are the causes of the unsatisfactory level of provision and the low level of participation by schools.

Children's sports academies

358. The institutions providing extra-curricular activities are supplemented by 94 sports academies currently operating in Armenia. In the past these schools operated under the Ministry of Culture, Sport and Youth Affairs. Recently many of them have been transferred to local communities, which are fully responsible for running and funding them. The remaining 14 schools are still State-run. The pupils engage in nearly 30 different types of sport, the most popular being football. Since 1990 the number of sports academies has dropped by 15 per cent, while the number of pupils has fallen by 47 per cent - only 10 per cent of this figure can be ascribed to emigration.

Table 24

Sports academies operating under the Ministry of Education and Science

	1990	1992	1994	1996	2000
Number of schools	111	108	110	105	94
Number of pupils	69 817	63 971	58 706	45 429	36 633

Rest and health camps

359. During the Soviet period, children's camps operated in the school holidays. Children were sent to school camps to develop their mental and physical capacities. Until 1988 some 150,000 children spent their rest time in the camps each year. More than 100 of these camps operated continuously. Most of them fell under the Ministry of Education and Science and the Council of Trade Unions. In 1998 more than 20 camps were destroyed in an earthquake. With the economic crisis, the number of children spending time in the camps also fell. Between 1994 and 1997 a total of 5,000 children stayed in the camps. In 2001 the State provided 100 million drams for holidays for the most vulnerable categories of children. In 2001 a number of activities are planned for young people, including the following:

- (a) Organization of summer holidays for children from deprived families;
- (b) Organization of traditional school games;

- (c) Organization of the Armenian National Assembly Cup competition for pupils in forms 1 to 3;
- (d) Organization of exhibitions, concerts, festivals, competitions, etc.

Children's libraries

360. Currently 80 children's libraries are operating in Armenia. There are also 10 district libraries which have sections containing children's books. The most recent figures put the number of readers in children's libraries at 115,000, and the book stock stands at 1 million.

The Armenian national scout movement

361. The scout movement arrived in Armenia in 1989. It began in Armenian schools and spread throughout the country. The Armenian national scout movement was one of the first [sic] to become a full member of the world scout movement. As a result, opportunities for participating in the world scout movement increased. There are 2,000 children in the scout movement, including 300 children aged between 7 and 12.

IX. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency

1. Refugee children (art. 22)

362. The duty of the State to protect children's rights in unfavourable circumstances and emergency situations is laid down in the Children's Rights Act. This involves protection of the rights of children who have been deprived of parental care, and their placement in residential children's homes (arts. 24 and 25), the rights of disabled children and physically and mentally challenged children, the rights of children in emergency situations, and the rights of child refugees (arts. 26, 28 and 30). These problems are essentially regulated by the applicable social legislation, the Medical Assistance and Services Act, the Refugees Act, etc.

363. Refugee children who have lost their homes and personal property as a result of military activities and other conflicts are entitled to protection of their rights. The State and its relevant organs take steps to search for their parents or relations, provide material, medical and other assistance and, when necessary, send them to sanatoriums or boarding or other institutions (Children's Rights Act, art. 30).

364. Under article 22 of the Convention on the Rights of the Child, children in refugee families must be provided with protection and help in exercising their rights, including, when necessary, help in reunification with their families, etc.

365. Refugees are granted special treatment in housing allocation, job placement, studies, access to special programmes of humanitarian assistance, etc. Efforts are under way to build housing for refugees.

366. According to data as at 1 July 1998, the number of under-age children from refugee families was 33,178, of whom 13,123 (39.6 per cent) were located in the cities and 20,055 (60.4 per cent) in the countryside.

2. Children in armed conflicts (art. 38); physical and psychological recovery and social integration (art. 39)

367. Involving children in military activities or armed conflicts, promoting war and violence among children and setting up children's military groups are forbidden under Armenian legislation. It is forbidden for children aged under 15 to participate in military activities. During armed conflicts the State provides special protection for children (Children's Rights Act, art. 29).

368. During the forcible deportation of over 5,000 peaceable inhabitants of 24 villages in Karabagh, including women and children, in 1990 and 1991, they were held in complete isolation and subjected to physical and mental humiliation.

369. As a result of the Karabagh conflict, there are currently 870 missing persons, including 36 women and 2 children, on the Armenian side. Because of bombing of border villages, children were killed and injured.

370. The issue of post-conflict rehabilitation of children who suffered during the military activities is at the centre of attention for the Armenian Government.

B. Children involved with the system of administration of juvenile justice

1. The administration of juvenile justice (art. 40)

371. Legal proceedings in cases involving minors are governed by the general rules set out in the Code of Criminal Procedure. Chapter 50 of the Code contains specific provisions relating to proceedings in cases involving minors. The legal representatives of victims, plaintiffs, suspects and accused persons are their parents, adoptive parents or guardians, who, during criminal proceedings, represent the lawful interests of persons participating in a case who are minors or are lacking in legal capacity. Where a minor has no legal representative, the body conducting the criminal proceedings appoints the authority responsible for tutelage and guardianship as the legal representative.

372. By decision of an investigating body, investigating officer, procurator or court, one of the parents, adoptive parents or guardians of a victim, plaintiff, suspect or accused person may be authorized to participate in criminal proceedings as his or her legal representative. A parent or guardian whose application is supported by all the other legal representatives may act as the legal representative. Otherwise, the person participating in the criminal proceedings as legal representative is selected by the procurator or the court (Code of Criminal Procedure, art. 76).

373. The legal representative of a witness who is aged under 14 - or, with the permission of the body conducting criminal proceedings, of an older minor - has the right to be informed when the minor being represented is summoned to the body conducting criminal proceedings and to participate in investigations or other procedural activities (art. 87). The above-mentioned article

also lists the rights of legal representatives who are participating in investigations or other procedural activities. Calls for questioning are addressed to under-age witnesses, victims, suspects or accused persons, as a rule, through their legal representatives (art. 205, para. 3).

374. An under-age witness may be questioned regardless of age, if it is considered that he or she may provide information of significance for the case. The questioning of witnesses under the age of 14 - or, should the investigating officer so decide, 16 - must be conducted in the presence of the child's legal representative. Before the questioning begins, the rights and obligations of the legal representative are explained to him or her: the legal representative has the right to be present during the questioning, and, with the permission of the investigating officer, to make observations and pose questions. Questions may be disallowed by the investigating officer, but they must be noted in the record. Witnesses who are aged under 16 are informed of their obligation to give a plausible account of all they know concerning the case, but they are not warned that it is an offence to refuse to give evidence or to give evidence they know to be false (art. 207).

375. By decision of the body conducting criminal proceedings, participants in the case who do not know the language in which the proceedings are being conducted are given an opportunity to exercise all their procedural rights free of charge with the aid of an interpreter (art. 15).

376. Questioning of deaf, dumb or blind witnesses is conducted with the help of an interpreter who understands their sign language or is able to communicate with them by means of signs (art. 208).

377. At the request of the parties or on the initiative of the court, the questioning of a minor may be conducted in the absence of the accused, if this is necessary for the full, comprehensive and objective investigation of the circumstances of the case. On return to the courtroom, the evidence provided by the under-age witness is presented to the accused, who is given an opportunity to ask the witness questions relating to the evidence he or she has provided. Witnesses aged under 16 are removed from the court following questioning, except in cases where, at the request of the parties or on its own initiative, the court decides that the continued presence of a witness is necessary (art. 341).

378. Article 440 of the Code stipulates that, in addition to information which must be confirmed by the Juvenile Affairs Department, it is also necessary to clarify (a) the minor's age (date of birth); (b) details of the minor's life and upbringing; and (c) the minor's state of health and general development.

379. The court may decide to waive punishment and impose compulsory re-education measures on a minor if it reaches the conclusion that the minor can be reformed without the imposition of criminal penalties (art. 443).

380. Remand is used as a preventive measure in the case of minors only when the minor is accused of moderately serious, serious or particularly serious offences (art. 442).

381. The Code of Criminal Procedure stipulates that under-age suspects or accused persons should be placed under supervision as a preventive measure. While an under-age suspect or accused person is under the supervision of his or her parents or guardians or the administration

of a strict-regime children's institution in which he or she is living, they have an obligation to ensure that the minor behaves properly, attends when called by the body conducting criminal proceedings and complies with other procedural obligations.

382. When a minor is placed under supervision as a preventive measure, the body conducting criminal proceedings notifies the decision to his or her parents, adoptive parents or guardians or a representative of the administration of the children's institution and forwards a copy of the decision to them, informs them of the nature of the suspicion or accusation and explains their rights, obligations and responsibility, and this is noted in the record. Parents and guardians may refuse to exercise supervision of under-age suspects or accused persons. Persons who have undertaken to exercise supervision are liable under the law if they do not discharge their obligations (art. 148).

383. The Code makes provision for the right of suspects, accused persons, their defence counsel and their legal representatives, as well as other interested participants in the proceedings, to lodge an objection with the procurator against a decision by a body conducting criminal proceedings to impose or modify a preventive measure. A court decision to impose a preventive measure can be appealed to a court of cassation (art. 150).

384. Armenian legislation stipulates that a court may impose coercive measures of a medical nature on persons who have committed offences when suffering from diminished responsibility, if they continue to pose a threat to society. Decisions to initiate proceedings relating to the imposition of coercive measures of a medical nature are taken by the investigating officer and the procurator. The following may participate in investigations: the defence counsel, the legal representative and the person in respect of whom proceedings have been initiated for the imposition of coercive measures of a medical nature, except in cases where the person's mental state precludes such participation (arts. 450 and 451). Participation by the defence counsel is mandatory from the moment when the proceedings relating to the imposition of coercive measures of a medical nature are initiated. In cases involving persons in respect of whom proceedings relating to the imposition of coercive measures of a medical nature are being conducted, by decision of the investigating officer, procurator or court, the close relatives of such a person or a representative of the medical institution in which the person has been placed may participate as legal representatives in the case (arts. 454 and 455). A person in respect of whom proceedings relating to the imposition of coercive measures of a medical nature are being conducted is entitled to all the rights of an accused person (art. 456).

385. Under article 18 of the Code of Criminal Procedure, a person who is suspected or accused of having committed an offence is innocent for as long as his or her guilt has not been established by a court ruling which has duly entered into force, in accordance with the procedure set out in the Code. A suspect or accused person is not obliged to prove his or her innocence. Responsibility for demonstrating guilt falls on the prosecution. A guilty finding cannot be based on supposition; guilt must be confirmed by a set of interrelated evidence.

386. While proceedings are being conducted it is forbidden to gather, keep, use or distribute information which relates to the personal or family life of the person concerned, or any other information of a personal nature. By order of the court, investigating body, investigating officer or procurator, persons participating in investigations and judicial proceedings must not publish

such information, and must give a written undertaking to that effect. Offences against the inviolability of personal and family life are punishable, and the victims are entitled to compensation (art. 170).

387. The participants in a case may challenge the actions and decisions of the body conducting the proceedings. Every convicted person also has the right to lodge an appeal against a court ruling or decision with a higher court and to apply to inter-State bodies responsible for the protection of human rights and freedoms under international agreements to which Armenia is a party, if all legal remedies provided for in Armenian legislation concerning criminal procedure have been exhausted (art. 103, para. 8).

2. Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d))

388. The system of administration of juvenile justice is not fully developed. There are no laws relating to young offenders, special courts for cases involving minors or systems whereby the offender is released from custody while the penalty is being enforced.

389. The Criminal Code covers children aged over 14. The Central Criminal Investigation Department in the Ministry of Internal Affairs has a unit which guides and coordinates work relating to cases involving minors. This work is carried out by each police sub-unit throughout the country, which deals with under-age children who have broken the law or have become involved in criminal activity. Such children are either released back to their parents, or taken away to centres for the reception and placement of minors, or placed in children's shelters. Minors who have committed offences are handed over to investigating bodies in accordance with the law, where they may be held for no more than 72 hours.

390. There are three types of evaluation criteria used to determine the degree of responsibility of children before the law:

- (a) The percentage of offences committed by minors;
- (b) The percentage of minors who are convicted;
- (c) The number of minors in prison.

Incidence of crime

391. In Soviet Armenia the total number of offences committed was very low. This was due first and foremost to strong family ties, the education system and the watchful role of the State. The deteriorating economic situation and the excessively high level of freedom led to a rise in crime. However, there are cases where sentences imposed on minors have been too severe. For example, two minors with previous convictions currently serving sentences in a colony for minors were given two-year custodial sentences for theft involving amounts of 5,370 and 14,600 drams respectively.

Table 25

Year	Number of minors convicted	Number of offences committed by minors
1989	116	243
1990	133	256
1995	297	403
1997	86	741
1998	41	589
1999	50	588
2000	39	610
30.4.2001	44	

Source: Data for 2001 from the Ministry of Internal Affairs, Department for the Enforcement of Criminal Penalties.

Number of minors in prison

392. The correctional labour colony in the town of Abovian consists of a women's section, a children's section and a remand centre. On 1 May 2001 the colony was holding 44 minors, including those convicted when under age but now aged 19 or 20. Sixteen of them are in the section for minors, and four infants are with their mothers in the women's section. The average age of the under-age prisoners is 16 and a half. Older prisoners make up 40 per cent of the total number. The overwhelming majority of the minors were convicted of theft, justifying it on grounds of difficult social and economic circumstances. Indeed, most of the minors are from poor families. All are ethnic Armenians, except for one (a Russian who committed an offence in Armenia).

Table 26

Offences committed by minors held in the Abovian correctional labour colony

Type of offence	Number of under-age convicted prisoners
Theft	15
Murder, premeditated attempted murder, grievous bodily harm	12
Fraud	1
Rape	2
Robbery	3
Strong-arm robbery	8
Pilfering	2
Absconding after conviction	1
Total	44

Remand centres

393. The Code of Criminal Procedure stipulates that the period of detention while proceedings are under way should not exceed two months, except where the proceedings are hampered by particular circumstances, in which case the period of detention may be extended to six months.

3. The sentencing of children, with particular reference to the prohibition of capital punishment and life imprisonment (art. 37 (a))

394. Under the current Criminal Code, persons who were aged under 18 at the time an offence is committed are not liable to the death penalty. Under the new draft Code the death penalty is to be replaced by life imprisonment, which is not applied to persons aged under 18 at the time an offence is committed.

395. Protection of minors, like any other citizen, from torture and cruel or degrading treatment or punishment is guaranteed by the Constitution.

4. Physical and psychological recovery and social reintegration of the child (art. 39)

396. No special measures or programmes are provided in Armenia for further physical and psychological care and sociological reintegration after sentences have been served.

C. Children in situations of exploitation; physical and psychological recovery and social reintegration

1. Economic exploitation of children and child labour (art. 32)

397. A list of types of arduous work and work involving harmful or hazardous working conditions for which it is forbidden to employ persons aged under 18 is approved in accordance with a procedure provided for in the law.

398. The carrying or shifting by children of weights which exceed the maxima stipulated for them is forbidden (Code of Labour Legislation, art. 200).

399. Persons aged under 18 may be recruited for work only after a prior medical examination, and must undergo an annual obligatory medical examination thereafter until they reach the age of 18 (*ibid.*, art. 201).

400. It is forbidden to assign manual and office workers aged under 18 to night work, overtime work or work on rest days (*ibid.*, art. 202).

401. Manual and office workers aged under 18 are granted annual leave of one calendar month (*ibid.*, art. 73). Under article 203, annual leave may be granted during the summer or, if the minor so wishes, at any time of the year.

402. Production norms for workers aged under 18 are set on the basis of norms for adults.

403. Under article 30 of the Civil Code, minors aged between 14 and 18 may conclude business transactions with the consent of their parents or guardians. They have the right to conclude small ordinary transactions, and make use of their earnings or other income and copyrights and patent rights, independently. Parents or other legal representatives conclude transactions on behalf of minors aged under 14. Minors aged under 14 have the right to conclude small ordinary transactions.

404. Under article 24 of the Civil Code, persons aged under 16 may be deemed to enjoy full legal capacity if they are employed under a labour contract or if they engage in business activity with the consent of their parents, guardians or adoptive parents. In such cases such persons enjoy full legal capacity from the time they marry.

405. The Children's Rights Act stipulates that a labour contract may be concluded with a child if he or she has reached the age of 16. In exceptional circumstances a labour contract may be concluded with a 15-year-old child.

406. Children enjoy preferential treatment as to labour rights, as set out in the labour legislation.

2. Drug abuse (art. 33)

407. Under the Criminal Code, the unlawful manufacture, acquisition, storage, consumption, transport, transfer or sale of narcotic drugs are punishable in accordance with article 229 or article 44 of the Administrative Offences Act.

408. Minors who reached the age of 16 before the offence was committed, and also, under article 229 of the Criminal Code (Theft of narcotics), those who committed the offence when aged between 14 and 16, are liable to criminal prosecution.

409. In 2000, two minors were convicted of drug use offences. According to data supplied by the department in the Ministry of Internal Affairs responsible for combating illegal trade in narcotic substances, four minors have been placed on an at-risk register and are engaging in remedial activities.

410. Considerable importance is attached to efforts to prevent drug use, despite the fact that such use is not widespread in Armenia. Non-governmental organizations make a significant contribution in this regard. Many of them not only prepare and distribute appropriate literature, but also conduct awareness campaigns in schools.

411. Personnel of the Ministry of Internal Affairs carry out large-scale preventive efforts among minors almost everywhere, including schools and other educational establishments, and special efforts are targeted on minors convicted of such offences, with the aim of preventing such activities in the future. Particular attention is paid to efforts aimed at preventing the use and distribution of drugs among minors. In various schools and higher educational establishments Ministry of Internal Affairs personnel conduct a variety of seminars and meetings on such topics as "Drugs and minors", "The dangers of drug addiction", "Crime and minors", "Responsibility of minors for various types of crimes", etc.

412. In March-April 2001, with help from the Ministry of Foreign Affairs and the Ministry dealing with educational and scientific issues, together with doctors from the "Armenia" national hospital, a public awareness campaign was held on the topic "Into the twenty-first century without drugs", the purpose of which was to explain the dangers of drug use to pupils in the senior classes of Erevan schools.

3. Sexual exploitation and sexual abuse (art. 34)

413. Sexual offences against minors are punishable under the Criminal Code. Anyone engaging in sexual relations with a person who is aged under 16 or who has not reached sexual maturity is liable to a custodial sentence of up to three years. The same offence, when performed in a perverted manner, is punishable by a custodial sentence of between three and eight years (Criminal Code, art. 114). Performing indecent acts in respect of a minor is punishable by a custodial sentence of up to four years (*ibid.*, art. 115). Entering into *de facto* marital relations with a person who has not reached marriageable age, or coercing a person into such marital cohabitation, is punishable by a custodial sentence of up to two years or punitive deduction of earnings for up to two years. Entering into marital relations with a person who has not reached sexual maturity or coercing a person into such marital cohabitation is punishable by a custodial sentence of up to two years or punitive deduction of earnings for up to one year (*ibid.*, art. 117).

414. Under article 9 of the Children's Rights Act, the State and its relevant organs are required to protect children against all forms of violence, exploitation or involvement in criminal activities, including the consumption, production or sale of narcotics, begging, prostitution, gambling or any other infringement of their rights and interests.

415. Investigation of the problem of immoral behaviour is complicated, since there are no clear criteria for defining such behaviour. There is also an unofficial view that, together with the rise in social tension, the number of young women engaged in prostitution is growing.

416. In current conditions the need to protect the most vulnerable categories of children, including abandoned children and beggars, is extremely urgent.

417. Units have been set up within the internal affairs apparatus in Armenia to combat prostitution and drug addiction. Penalties have been introduced under the Criminal Code for enticing under-age girls into prostitution and keeping brothels. Three cases of enticement into prostitution, involving six minors, were recorded in the year 2000. All the minors were placed on a register of children at risk, and are engaged in remedial activities.

4. Sale, trafficking and abduction (art. 35)

418. At the present stage of social and economic development in Armenia, organizing efforts to combat crime is a priority, as is the strengthening of the legal system, including first and foremost programmes for the prevention and identification of crimes and offences committed by minors. Within the Ministry of Internal Affairs this programme is in the hands of the Juvenile Affairs Department. In addition, checks are periodically conducted for the purpose of preventing lawbreaking.

419. According to data for the year 2000 supplied by the Information Centre of the Ministry of Internal Affairs, no cases were recorded in which children were sold, resold, abducted or unlawfully taken out of the country.

5. Other forms of exploitation (art. 36)

420. A number of legislative and administrative measures have been taken to protect children from all forms of exploitation. Specifically, provisions guaranteeing protection of children's rights appear in the Constitution, the Children's Rights Act, the Education Act, the Military Conscription Act, the Freedom of Conscience and Religious Organizations Act, the Medical Assistance and Services Act, the Valued Added Tax Act, the Citizenship Act, the Refugees Act, the Advertising Act, the State Pensions Act and the Health and Epidemiological Monitoring Act, and also in the Criminal Code, the Code of Criminal Procedure, the Civil Code, the Code of Civil Procedure, the Marriage and Family Code, the Labour Code, the Correctional Labour Code, the Supreme Council decision of 8 July 1991 concerning the protection of women, mothers and children and priority measures to strengthen the family, the Presidential decree of 28 March 1996 concerning the protection of mothers and children and the Press and Media Act.

D. Children belonging to a minority or an indigenous group (art. 30)

421. Armenia strictly demonstrates its attachment to compliance with international standards in relation to the rights of ethnic minorities which are set out in the conventions and declarations of the United Nations and other international organizations which it has signed, including the CIS Convention concerning the rights of persons belonging to ethnic minorities (October 1994) and the Council of Europe's Framework Convention for the Protection of National Minorities (February 1995).

422. Under article 35 of the Constitution, every citizen has the right to education; secondary education in State educational establishments is provided free of charge. The Education Act, adopted on 8 May 1999 to elaborate on certain articles in the Constitution, reaffirms that Armenia guarantees the right to education irrespective of ethnic origin, race, sex, language, religion, etc. (art. 6).

423. Under the Language Act, the language of instruction and education is the literary Armenian language. In ethnic minority communities, instruction and education in the general curriculum may be organized in the vernacular (art. 2).

424. The Children's Rights Act grants children the right to choose their place of study with the consent of their parents or legal representatives.

425. Article 69 of the current Criminal Code stipulates, in relation to violations of equal rights on ethnic or racial grounds, that "arousing discord or ethnic or racial enmity, premeditated actions designed to belittle ethnic honour and dignity, or the direct or indirect restriction of citizens' rights or the establishment of direct or indirect privileges on racial or ethnic grounds, are punishable by custodial terms of up to three years".

426. Children from ethnic minorities enjoy all rights on an equal footing with Armenian children, and no discrimination is practised against them in any form.

427. Some 40 voluntary associations of ethnic minorities in Armenia have been registered with the Ministry of Justice.

428. The establishment of the Coordinating Council of Ethnic Minorities under the Office of the President is an important step in protecting the rights of ethnic minorities.

429. Aside from Armenian general schools, three Russian schools and a Russo-Armenian University are currently operating in Armenia. Russian is taught in most schools. In addition, there are Russian sections in 12 schools. Kurdish is taught in some classes in areas where there is a concentration of Kurdish residents. Greek is taught in secondary school No. 74, Assyrian in school No. 8 and Farsi in school No. 59. German, English, French, Spanish and Arabic are also taught.

430. Ten Russian-language newspapers and magazines are published in Armenia. The ethnic minorities publish the following newspapers and periodicals: *Rusky dom* (Russian community), *Dnipro* (Ukrainian charitable foundation), *Ria Taza* (Kurdish community), *Golos Ezidov* (National Union of Kurds), *Barekamutyun* (Armenian-Kurdish Friendship Society), *Bostan* (Kurdistan Committee), *Shangal* (National Yezdi Society), *Sinjar* (Druzhba Yezdi-Kurdish Community), *Koelet* (Jewish community). A colourful primer in Assyrian has been prepared for publication. Radio programmes are broadcast in Yezdi, Kurdish, Russian, Georgian and Assyrian.

431. Many ethnic minorities represented in Armenia have folklore troupes within their communities. The Ukrainian children's choir which performs in Erevan and Vanadzor is especially popular.

432. In September a colourful annual music festival is organized by the Union of Nationalities in Erevan, and all ethnic groups participate. The next festival, to be held at the beginning of 2001, will be the fourth.
