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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

Armenia

1. The Committee considered the initial report of Armenia on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.36) at its 38th-40th meetings, held on 22 and 23 November 1999 (twenty-first session), and adopted, at its 53rd meeting, held on 1 December 1999, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report by the State party which conforms generally to the guidelines established by the Committee. The Committee appreciates the submission of written replies by the State party to its list of issues. It also notes with satisfaction the efforts made by the State party's delegation to answer with openness and candour the questions put to it during the dialogue. However, the Committee regrets that the delegation was not able to provide more detailed information and concrete facts and statistics in response to the list of issues submitted by the Committee to the Government 11 months earlier, or to answer in a satisfactory manner all the questions asked by Committee members during the dialogue.

B. Positive aspects

3. The Committee notes the willingness and efforts of the State party to comply with its obligations under the Covenant and acknowledges with appreciation the efforts made by the Government of Armenia to cope with the consequences of the many difficulties, in particular the natural disasters and armed conflicts, that have led to its current deteriorated economic, social and political situation.

4. The Committee welcomes the fact that despite the aforementioned difficulties faced by the Government, cultural rights in general continue to be promoted and developed in Armenia.

5. The Committee also notes with satisfaction the equal treatment of refugees and Armenian citizens in the exercise of economic, social and cultural rights.

C. Factors and difficulties impeding the implementation of the Covenant

6. The Committee acknowledges the serious negative effects of the difficult social, economic and political circumstances which the Government of Armenia has faced for over a decade.

7. The Committee also notes the obstacles arising from the trade blockade imposed by a number of its neighbouring countries, which have led to a reduction of trade activities in Armenia.

D. Principal subjects of concern

8. The Committee is concerned about the legal status of the International Covenant on Economic, Social and Cultural Rights in the Armenian national legal order. The Committee regrets that the delegation has not been able to clarify the position of the Covenant in Armenian law, nor to provide any specific references to cases in which the Covenant has been invoked in national courts of law.

9. The Committee is particularly concerned about the slow and complicated process required for the adoption of new legislation which aims to give effect to economic, social and cultural rights in accordance with the State party's obligations under the Covenant.

10. The Committee is also concerned about the fact that despite equality between men and women before the law, there are still discrepancies in practice in the enjoyment of economic, social and cultural rights by men and women. For instance, despite the high level of education enjoyed by women and the high number of professionally qualified women, the unemployment rate of women remains high and there is a relatively low percentage of women in high-level positions, particularly in Parliament.

11. The Committee regrets that the replies provided by the Government in written form, as well as during the dialogue, have not brought sufficient clarity regarding the exact situation of employment in Armenia. In particular, the Committee was not provided with concrete data and

statistics adequately reflecting the actual status of the implementation of articles 6 to 8 of the Covenant, such as the increase or decrease of the unemployment rate over a period of time, and the adequacy of the minimum wage for securing minimum subsistence for workers and their families.

12. The Committee is deeply concerned about the inadequate efforts being made with regard to the crisis in the housing situation in Armenia, owing to, inter alia, the damage caused by the 1988 earthquake, as well as the influx of refugees.

13. The Committee regrets the lack of statistics with regard to the implementation of the rights to food, housing, health and education, as a result of which they could not be evaluated sufficiently by the Committee.

14. The Committee regrets that the information provided by the Government of Armenia has not been sufficient to clarify why there has been a general deterioration in the health of the Armenian people, especially among the women, why budgetary allocations for health have been decreasing, and the causes and consequences of a high occurrence of cancers and cardiovascular diseases.

15. In addition, the Committee is alarmed by the fact that abortion remains the most commonly used means of family planning in the country owing, in particular, to inadequate education and the high cost of contraceptives.

16. The Committee notes with concern the marked decline in the percentage of government allocations for education relative to allocations for other sectors. The Committee is also concerned about the increase of the fee-paying educational sector.

E. Suggestions and recommendations

17. The Committee recommends that the Government of Armenia provide more specific and detailed data which are up to date and, where necessary, disaggregated by gender, relating to the rights set forth in the Covenant. The Committee requests the Government to provide the data specifically requested on housing, food, health and education within six months after the adoption of the present concluding observations.

18. The Committee requests the Government of Armenia to provide more information, in its second periodic report, on the exact status of the Covenant in the Armenian national legal system, and that it undertake measures to define the relationship between Armenia's international legal obligations and its national legislation.

19. The Committee recommends that family planning programmes be set up for women, in particular to decrease the incidence of abortion, along with programmes for the prevention and treatment of cancer. Furthermore, the Committee requests the Government to take measures which will promote employment for women and their greater participation in public life.

20. The Committee also recommends that the Government of Armenia take measures to ensure that the quality of the Armenian education system is monitored and guaranteed, particularly in private educational institutions, which have increased in number.
21. In addition, human rights education should be ensured in curricula at all levels of education, as well as in relevant public institutions such as the judiciary, administrative bodies and the police force.
22. The Committee suggests that the Government of Armenia avail itself more actively of technical assistance from the Office of the United Nations High Commissioner for Human Rights and relevant United Nations specialized agencies and programmes, particularly in the preparation of its second periodic report to the Committee.
23. The Committee would also like to draw the attention of the Government of Armenia to the need to include in their forthcoming periodic report the necessary supporting statistical data on the evolution of the economy, personal incomes, and the state of nutrition, housing, health and education in the country.
24. Finally, the Committee requests the State party to disseminate its concluding observations widely among all levels of society and to inform the Committee on all steps taken to implement them. It also urges the Government of Armenia to consult with non-governmental organizations in the preparation of the second periodic report.
