

**Convention on the Elimination of All Forms of Discrimination against
Women⁶⁵ Session (24 Oct 2016 - 18 Nov 2016)**

Caucasus Center of Human Rights Monitoring (CCHRM)

Caucasus Center of Human Rights Monitoring (CCHRM) is a non-governmental organization established in Georgia in 2008. Objectives of the organization: to facilitate the development of a tolerant civil society and the advancement of knowledge in the field of human rights and fundamental freedoms, to protect the rights and freedoms at the Caucasus. The activity of CCHRM is based on the organization of events with experts in the field of human rights.

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Women's Rights in Armenia

Gender equality is a basic principle of human rights, and women's rights are an inalienable, integral and indivisible part of universal human rights. Gender equality is a requirement of democracy, a requirement for the achievement of social justice, and an important prerequisite for economic development.

It is the obligation of the state to fully address human rights in all its forms and thus to take measures to stop violence and discrimination against women, protect its victims and prosecute the perpetrators. Failure to do so would make it the responsibility of the state.

Armenian Constitution enshrines the right to gender equality, and outlaws all forms of discrimination on the basis of gender. As a member-state of the United Nations Armenia has ratified a number of important international documents targeting promotion and protection of women's rights. Armenia ratified the Convention on the

Elimination of All forms of Discrimination against Women (CEDAW) in 1993, and the Optional Protocol on violence against women in 2006. Armenia is a member of the Council of Europe and ratified the European Convention on Human Rights in April 2002.

However, women, which constitute over half of the Armenian population, systematically face discrimination in the economic, social, cultural and public life of the country.

Women continue to be particularly affected by the ongoing transition to a market economy, poor economic development, high levels of unemployment, poverty, male out-migration, especially in recent years¹. According the World Economic Forum's Global Gender Gap Report 2015, estimated earned income is double higher for male workers. On average, in Armenia, for every \$1 woman earns, a man earns \$2.04. In Armenia, the average annual salary for a woman is \$5,276.95 and average annual salary for a man is \$10,854.23.

Political empowerment is a weak place in Armenia action plan to prevent discrimination against women². Extensive gender bias still hampers the effective empowerment and equal treatment of women. In the private sphere, women are still seen as responsible for childcare and all domestic work³.

“Gender inequality and violence against women are serious human rights concerns in Armenia. More vigorous efforts are needed to address them,” said Nils Muižnieks, Council of Europe Commissioner for Human Rights⁴. The Commissioner drew attention to the social attitudes accepting and justifying violence against women in some cases, thereby helping to hide perpetrators from accountability. He was informed that a

¹<http://www.armstat.am/en/?nid=45&year=2015> National Statistical Service of the Republic of Armenia

²<http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=ARM> World Economic Forum

³<http://www.armstat.am/en/?nid=45&year=2015> National Statistical Service of the Republic of Armenia

⁴Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

number of political leaders, including parliamentarians, have denied the problem of domestic violence in Armenia and even justified it in some cases. The Commissioner systematically raised this issue with his official interlocutors at national level and encouraged them to send a clear message of “zero tolerance” for violence against women⁵. Evidence demonstrates that the Armenian gender equality policy and women’s empowerment needs to be more elaborated.

Domestic Violence

Domestic violence shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

According to a 2011 survey conducted by the National Statistical Service of Armenia and the UNFPA, 71 8.9% of women taking part in the survey experienced at least one form of physical violence by an intimate partner. The survey revealed that most instances of physical violence against women are committed in the family. It also notes that 25% of women reported having been subjected to at least one form of psychological violence, more than half women admitted having experienced at least one form of sexual violence by their intimate partner. Further, 61.7% of the surveyed women reported having endured some form of controlling behavior by an intimate partner - through restricting contacts with family and friends, controlling movement or any undertaking outside the household, or making a woman seeking permission for accessing health services⁶.

Another survey on domestic violence released in 2011 by the NGO Proactive Society with the support of the OSCE Office in Yerevan discovered that 59.6% of the respondents fell

⁵Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

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a victim to domestic violence during their lifetime⁷. According to the data provided by the Armenian Police Service, 2054 cases of violence against women, including 580 cases of domestic violence, were recorded in 2013. For the first nine months of 2014, the police gave the figure of 1759 cases of violence against women, including 428 cases of domestic violence. NGOs documented seven death cases resulting from domestic violence in 2013 and twelve in 2014⁸. Maro Guloyan committed suicide by hanging herself with the belt from her dressing gown, although the marks on her neck were inconsistent with hanging. Family members say Maro had been constantly subjected to violence by her husband¹.

There is a view that domestic violence should be resolved within the family and talking about it in public is considered inappropriate and shameful. Many women experiencing domestic violence do not report it, either because they believe that domestic violence is a private matter, or mostly because they do not believe the police will do help. Due to the lack of information regarding criminal cases brought against perpetrators of violence against women, it could be said that the phenomenon remains largely unreported in Armenia.

Despite evidence that violence against women remains common, there are gaps in the national legislation from gender perspective. There are no separate laws on gender equality, domestic violence. Moreover, Armenia has no law criminalizing domestic violence. Armenia has not signed or ratified the Council of Europe ‘Convention on preventing and combating violence against women and domestic violence’⁹.

⁷Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

⁸Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

⁹http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p_auth=P47lNQDk Chart of signatures and ratifications of Treaty 210 Council of Europe Convention on preventing and combating violence against women and domestic violence Status as of 03/03/2016

The 2011 survey conducted by the National Statistical Service of Armenia and the UNFPA also highlights such ways of violence against women as economic disempowerment, including economic deprivation (e.g. withholding of money, confiscation of earnings and savings, forbidding a woman to work)¹⁰. Marine has decided to live in a burned-out car with her 2-year-old daughter after she got a divorce because her husband repeatedly beat herⁱⁱ. Mariam Gevorgyan, 21, was abused by her husband and mother-in-lawⁱⁱⁱ. Kristine was kidnapped by her husband, and then left after he moved to Russia. Kristina's family refused to take her back^{iv}.

The raise of public awareness is not enough to resolve this problem, the adequate law should be adopted. General support services such as psychological counselling, shelters, financial assistance, housing, assistance to find employment, should be employed. Investigation into and prosecution of some offences shall not be wholly dependent upon a report or a complaint filed by a victim and that proceedings may continue even if the victim withdraws it.

Anonymous threats

In Armenia, women's rights defenders are vulnerable to gender-specific threats and violence, especially when they challenge patriarchal values, sexist stereotypes and the traditional perception of gender roles.

On 5 November, staff of the NGO Women's Resource Centre and other women's rights activists were threatened and verbally assaulted as they were leaving a court room where they had been assisting a victim of domestic violence. In 2013, the Women's Resource Centre had received anonymous death threats following its calls for gender equality

¹⁰Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

legislation. No effective investigations into either of these incidents had been conducted by the end of the year¹¹.

The Yazidis women's rights

The Yazidis constitutes 1.1% of the total Armenian population¹².

Right to education of the Yazidis women is often violated. Representatives of non-governmental organization National Union of Yezidis "Sinjar" Zemfira Kalashyan and Boris Murazi point out that the majority of the Yazidi women do not even graduate from school. Early marriages became commonplace among the Yazidis community of Armenia. The opinion of the old leaders of the community considerably contributes to such a situation. They took a stand against the law that sets a minimum age for marriage - 18 years. The United Nations Population Fund (UNFPA) reports that early marriage is practiced in Armenia, particularly among ethnic minority communities¹³.

In many cases, the negligence of government agencies also lead to the infringement of the right to education by the Yazidis women. «In the Yazidis villages, many parents do not allow their daughters going to school from 5th or 6th grades. The Ministry of Education and Science of Armenia never tried to explain to the parents that they violate the law and the rights of their children, and that they are responsible for that. It is inappropriate to think that the non-attendance at school and ignorance among women is a part of the national tradition of the Yazidis people. This has been well proven in the years of the Soviet Union, when the Yazides women manifested themselves in different spheres ", - assert Kalashyan and Murazi in their article¹⁴.

¹¹Amnesty International Report 2014-2015, p62

¹²http://www.indexmundi.com/armenia/demographics_profile.html

¹³UNFPA (2014b)

¹⁴<file:///F:/Armenia/%D0%92%20%D0%90%D1%80%D0%BC%D0%B5%D0%BD%D0%B8%D0%B8%20%D0%BD%D0%B0%D1%80%D1%83%D1%88%D0%B0%D0%B5%D1%82%D1%81%D1%8F%20%D0%BF%D1%80%D0%B0%D0%B2%D0%BE%20%D0%B5%D0%B7%D0%B8%D0%B4%D0%BE%D0%BA%20%D0%BD%D0%B0%20%D0%BE%D0%B1%D1%80%D0%B0%D0%B7%D0%BE%D0%B2%D0%B0%D0%BD%D0%B8%D0%B5%20%20Epress%20News.html>

Prenatal sex selection

Abortion is available on demand in Armenia for the first 12 weeks of a pregnancy. After the 12 weeks, abortion is available under certain circumstances including health and social grounds with the consent of a doctor¹⁵. However, the sex-selective abortions are increasing in Armenia and are skewing the gender balance¹⁶. The study showed the sex-at-birth ratio in Armenia to be skewed at 114 boys to 100 girls in 2012, while the accepted normal biological ratio is 102-106 boys to 100 girls¹⁷. Whereas the normal sex-ratio at birth ranges from 102-106 males to 100 females, in 2011, the Council of Europe Parliamentary Assembly found that the rate stood at 112 to 100 in Armenia. A 2013 United Nations Population Fund (UNFPA) report gave the figure of 114-115 to 100 for Armenia. It appears that the region of Gegharkunik has the most skewed sex ratio (up to 124 to 100). Resort to pre-natal sex-selection, i.e. selective abortions of female fetuses, is especially likely in families who already have three or four girls¹⁸.

The sex-selective abortions are closely related to the violation of women's rights (Article 39 of the Istanbul Convention), as many women, if they are expecting girls, are forced to do abortion by husband or other family members. Among the reasons for son preference in Armenia is a patriarchal culture, 'based on a patrilineal kinship system'. Prenatal sex selection is deeply embedded in cultural norms, which attribute a lower value to girls in comparison with boys¹⁹. This practice is not only deprives women of their rights to have children, but also may harm them adversely.

¹⁵United Nations Department of Economic and Social Affairs, Population Division (2013)

¹⁶2011 study by the UNFPA Armenia Country Office

¹⁷UN Fact sheet

¹⁸Report by Nils Muižnieks, **Council of Europe Commissioner for Human Rights**, following his visit to Armenia, from 5 to 9 October 2014

¹⁹http://www.un.am/up/library/Sex%20Imbalance%20report_eng.pdf (Guilmoto, C.Z. (2013))

ⁱ<http://www.nytimes.com/slideshow/2016/03/30/blogs/domestic-violence-in-armenia-covering-the-crimes-that-go-unreported/s/20160330-lens-anahit-slide-TDOo.html>

ⁱⁱ<http://www.nytimes.com/slideshow/2016/03/30/blogs/domestic-violence-in-armenia-covering-the-crimes-that-go-unreported/s/20160330-lens-anahit-slide-DCGS.html>

ⁱⁱⁱ<http://www.nytimes.com/slideshow/2016/03/30/blogs/domestic-violence-in-armenia-covering-the-crimes-that-go-unreported/s/20160330-lens-anahit-slide-N7C4.html>

^{iv}<http://www.nytimes.com/slideshow/2016/03/30/blogs/domestic-violence-in-armenia-covering-the-crimes-that-go-unreported/s/20160330-lens-anahit-slide-GG98.html>