Armenian Association of Women with University Education

Submission
to the Committee on the Elimination of Discrimination against W omen (CEDAW)

Armenian Association of Women with University Education drew up an Alternative Report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in the Republic of Armenia in 2009-2013.

Here is a brief version of some findings and conclusions of the Alternative Report that we would like to bring to the attention of the CEDAW Committee.

Territory of Republic of Armenia: 29,740 square kilometers

Population: 3.2 million (as to preliminary results of the Census of 2011), with women constituting 52% and men 48%. 37% of the population reside in rural and 63% in urban communities, with over 35% of the population being residents of the capital city of Yerevan.

Ethnic composition: Armenians – 97%, ethnic minorities include Yezidis, Russians, Kurds, Assyrians, Greeks, Ukrainians, Jews and others.

Armenia ratified the UN *Convention on the Elimination of All Forms of Discrimination against Women* on June 9, 1993. It thereby assumed a vast array of obligations that entailed the implementation of comprehensive measures aimed at eliminating discrimination and ensuring full development and advancement of women in the political, public, economic and cultural life of the country.

In the period that followed the ratification of the Convention by Armenia the country submitted four reports to the CEDAW Committee, the initial report in 1996, the second (periodic) one in 1999 and the combined third and fourth periodical reports in 2008 (for the period of 2002-2007). The CEDAW Committee made its Concluding comments to the Government of Armenia's the combined third and fourth periodical reports in 2009.

The CEDAW Committee's conclusions observations regarding the Armenia's Reports of 2009 expressed concern about:

- *the absence of the gender policies and of a gender impact assessment of the legislation and inadequate measures taken by the State to overcome the discriminatory practices that target women,*

- *a wide gap between the legislative norms, which guarantee equality between the sexes, and their implementation as a result of gender-neutral policies,*
- *inadequate awareness on the part of the general public and the Government officials concerning the Convention and the gender equality policies, lack of public awareness of "discrimination against women" and attempts to discredit the idea of gender equality,*
- *ineffectiveness of temporary special measures taken with a view to correcting a gender imbalance in the legislature,*
- *low representation of women in the RoA National Assembly and in local self-government bodies,*
- *underrepresentation of women in decision-making in public administration at all levels and limited influence of women on the country's policies and on the processes in the public and political life of the society,*
- *the absence of the national machinery as an instrument for the elimination of discrimination against women,*
- *prevalence of gender stereotypes in the society and the absence of government's measures to eliminate them,*
- *reproduction of a stereotypical image of women by mass media and the latter's lack of acceptance of the gender equality idea,*
- *horizontal and vertical gender segregation in employment and in the labor market and women's significantly low de facto average wages as compared to that of men,*
- *significantly higher share of women among the officially registered unemployed and women's limited access to loans and resources,*
- *substandard working and living conditions of rural women,*
- *absence of gender-sensitive policies in the field of education, existing risks of decreasing participation of girls in education system and weak leverage of women on the formulation of education policies,*
- *low level of State funding of the health-care sector and limited access to adequate general health-care services for women,*
- *insufficient State measures to combat violence against women, lack of legal and social protection of victims of violence and absence of intolerance of the general public against all forms of violence against women,*
- *the absence of systematic collaboration of State entities with civic groups in promoting gender equality.*

The CEDAW Committee also urged the Armenian Government to ensure wide dissemination in Armenia of the said concluding comments and of other international documents that aim at achieving gender equality.

However, the Committee's concluding observations and recommendations have not become a subject for a serious public discussion. They have not merited consideration by the National Assembly and the Government and have not been given due attention by non-governmental organizations. The general public is not aware of them.

The discussions that were held were few and far between and limited either to the initiatives of a close circle of women's organizations that take an interest in the issues or to the involvement of the same organizations in formalistic discussions staged by the Ministries responsible for the preparation of the reports.

The Goals of the Report are:

- **independent assessment** of the country's implementation of the *Convention on the Elimination of all Forms of Discrimination against Women* in virtually all key sectors and of the fulfillment of the obligations, and
- **identification of the problems** that impede the implementation of the Convention in the Republic of Armenia, and
- **ascertainment of possible solutions** presented as recommendations for the Armenian National Assembly, Government, other entities of State power, political parties and NGOs so that gender issues are taken into consideration in the legislative practices and gender component is integrated in the Armenian Government's programs aimed to promote gender equality, and for civil society institutions to enhance their efforts to promote gender equality and encourage women's political participation.

The socioeconomic and socio-political situation in Armenia after the declaration of independence in 1991 was the result of systemic reforms that aimed to build a democratic State and free-market economy.

Even though the reforms that were conducted in line with the 'shock therapy' principle and the 'growth without development' scenario laid some groundwork for improving the country's macroeconomic indicators, nevertheless, the results of the economic growth for the most part went to the well-to-do social groups and the national wealth got concentrated in the hands of a group of oligarchs.

The reforms had a high social cost as they were accompanied by mass-scale unemployment, a dramatic growth of material and human poverty, unprecedented expansion of the scale of corruption, and growing social differentiation of the population.

Some positive trends of macroeconomic stabilization of the previous period such as an almost 10% annual economic growth on the average and a 7-fold increase in the per capita GDP did not create the conditions that are necessary for raising the level and quality of people's life in the subsequent periods in the country's development.

In 2009-2012, the economic growth rates were not maintained not only because of the impact of the global financial and economic crisis and of weak competitiveness of the country's economy but also because of a slow increase in the industrial development rates, low effectiveness of agricultural production, growing extent and degree of corruption, the ongoing process of social differentiation of the population that led to growth in unemployment and to higher poverty rates, to male outmigration on an unprecedented scale, to lower birth rates and to social dissatisfaction of population.

Economic stagnation and high inflation rates led to a decrease in real wages of employees, while the poverty level increased. In 2012, the minimal wages in the country was 32.500 AMD (about 30 USD) and the minimum pension was 10,500 AMD (26 USD), while the value of the minimum consumer basket was estimated at over 50,000 AMD. The social burden of effected reforms has had an adverse impact first of all on the most vulnerable groups of the population, including women.

In recent years a number of important events occurred in the political life of Armenia, which can prove fateful for the county's further development. Within the program of the *European Neighbourhood Policy* the official negotiations on Armenia's association with the European Union entered the final stage in 2013. The negotiations focused on defining in greater detail the cooperation format. According to the obligations assumed by Armenia, the process of reforming the legislative, human rights, education and other systems was launched with a view to harmonizing them with the European standards. The attainment of gender equality is included alongside other issues in the activities of the *European Neighbourhood Policy*.

In 2009-2012, the Armenian Government took a number of steps *to carry out* the recommendations provided by the *UN Committee on the Elimination of Discrimination against*

Women with regard to Armenia's combined third and fourth periodic reports and *to implement* gender policy and *to improve* gender situation in the country.

In February 2010, the Armenian Government approved the *Gender Policy Concept Paper*, while on 20 May 2011 it adopted the Protocol Decree № 19 "On approving the 'Strategic Program of Gender Policy of the Republic of Armenia for 2011-2015'," which entails gender mainstreaming of the Government's programs and policies.

In line with the 20 May 2011 RoA Government Decree the standing commissions for the implementation of the *Gender Policy Concept Paper* and on gender equality were set up in all regions of the country. The commissions are headed by Deputy Regional Heads and are composed of employees of the Regional Governors' offices and of representatives of non-governmental organizations.

In December 2012, the RoA Government amended the Charter of the Women's Council affiliated with the RoA Prime Minister and recommended that the Council be regarded as a national machinery for gender equality.

In May 2013, in line with the recommendations of the UN CEDAW Committee, the National Assembly adopted the *RoA Law on Provision of equal rights and equal opportunities for women and men*. In June 2013, the country's President signed the Law, whereupon it took effect.

The *RoA Law on Provision of equal rights and equal opportunities for women and men* is a document that seeks to meet to the maximum extent a number of the requirements of the UN Convention on the Elimination of All Forms of Discrimination against Women. In particular, the Law introduces the concept of "gender-based discrimination" regulates the issue of ensuring equal rights and equal opportunities to women and men in the fields of politics, public administration, labor and employment, entrepreneurship, health care and education and provides the opportunity and the procedure for protecting citizens from discrimination on the grounds of sex and legal responsibility for discrimination.

The RoA Election Code was amended according to the recommendation of the CEDAW Committee and the gender quota in the political party lists in the RoA parliamentary elections

was raised from 15% to 20%. A 20% gender quota was also introduced in the political party lists in the Yerevan City Council elections.

In recent years, with a view to mainstreaming gender into political and public practices and to raising gender awareness the RoA Government together with non-governmental organizations hold annual contests for the Prime Minister's award in the categories "The best urban community and the best rural community in implementing the gender policy," "The best female entrepreneur" and "The best media outlet in providing coverage of gender issues" that aim at eradication of gender stereotypes and at advocacy of non-stereotypical images of women by mass media.

At the same time the Armenian Government failed to implement adequately the recommendations on a number of important articles of the Convention and areas provided by the UN Committee on the Elimination of Discrimination against Women regarding the combined third and fourth periodic reports.

The amendment of Article 108 of the Election Code to raise the gender quota in the political party lists in the proportional representation elections to the Parliament, which was adopted by the RoA National Assembly in 2011, contains a certain discriminatory approach and does not guarantee the application of that principle to the first 5 candidates who top the list and stand the best chance of being elected. The implementation of the quota during the 2012 parliamentary elections revealed its ineffectiveness as none of the nine political parties running for parliament had a female candidate in the top five places on their lists.

The share of women on the political parties' lists in the elections was 22.8% on an average. However, after the elections the representation of women in the RoA National Assembly was 10.7%, a very small increase from 9.2% after the parliamentary elections of 2007.

The 20 per cent quota set by the Election Code of Armenia was to a certain extent neutralized also by post-election withdrawals.

Gender imbalance in local governments remains a problem for local democracy. The results of local elections held in 2012 demonstrate a low level of women's participation: there were only 43 women (or 3.5%) among 1,237candidates running for the position of a Head in 638 rural communities.

Women account for 8.6% in local Councils, which are elective bodies. Their representation there increased by merely 2.4% as compared to the 2008 elections.

The representation of women in the Yerevan City Council somewhat increased. 10 women (or 15%) were elected to the City Council in the 2012 local elections.

Women's representation in the position of Heads of rural communities decreased as compared to the earlier elections. Out of 866 rural communities only 19 (or merely 2.3%) are headed by women. There is not a single woman in the elective position of a city/town mayor in 48 cities and towns of the country.

There still exists a gender imbalance at the top level of the executive branch of government. In 2013, among 19 Ministers (i.e. in a political position whose holders take part in political decision-making) there were only 2women: the RoA Minister of Culture and the RoA Minister of Diaspora. There are only 7 women among 66 holders of a discretionary position of a Deputy Minister who have some influence on political decision-making. In regional administrations, there are 2 women out of 22 Deputy Regional Governors and 2 women out of 10 Heads of Office.

Even though the share of women in the top-level positions in the civil service grew from 10.4% in 2007 to 14.0% by 2013, nevertheless, there is not a single woman among the Advisors to the RoA President, while among 6 Advisors to the RoA Prime Minister there is only one woman who deals with health sector. Women still constitute a majority among the low-paid civil servants holding junior positions in the executive branch of government.

The RoA Ministry of Education and Science did not carry out the recommendation made by the UN Committee on the Elimination of Discrimination against Women "to review all school textbooks to eliminate gender-role stereotypes" and "to implement programmes encouraging girls to enter non-traditional study courses."

Despite the fact that institutionalization of gender education is designated as a priority of the country's gender policies, the process has been unfolding slowly and involving an insignificant part of students. The RoA Ministry of Education and Science did not built on the experience gained in 2005-2008 in institutionalizing gender education in general secondary schools and in institutions of higher learning.

Even though women account for over 70% of employees in the education system, their low representation in the leadership of government-run higher education institutions and vocational schools results in their limited leverage concerning the formulation and implementation of education policies as a whole.

Despite the fact that the RoA Constitution, the RoA Labor Code and the RoA Law *On State Labor Inspection* enshrine the principle of an equal pay for equal work and prohibit differentiation on the grounds of sex on the labor market and in the field of employment, the average monthly net income of men significantly exceeds that of women virtually in all spheres regardless of type of economic activity or status. In 2012, the average monthly net income of women in this country comprised 59% of men's income, while the average salaries of women constituted 64.4% of men's salaries.

As at 2012, in this country 55.2% of women and 72.1% of men were economically active. Women comprised 48% and men 52% of the total employed population[1].

At the beginning of 2013, the number of the officially registered unemployed in the country was 69,400 (including 49, 200, or 71% women),

Even though the general public's perception of the adoption of the *RoA Law on Provision of equal rights and equal opportunities for women and men* was on the whole positive, however, quite soon after its adoption it met certain opposition from radical groups with conservative leanings. Those groups used print media, social networks and TV to discredit the Law manipulating the public opinion and presenting the concept of "gender" as advocacy for sex change and as support for sexual perversions aimed to destroy family, which is a traditional national value.

Owing to the lack of adequate efforts to disseminate information to the public at large, some segments of the population accepted uncritically the misinformation about the adopted *RoA Law on Provision of equal rights and equal opportunities for women and men*. Furthermore, women's inadequate awareness of the rights under the CEDAW Convention and spelled out in the adopted Law accounts for the fact that not only ordinary citizens but also some female

[1] *Women and Men in Armenia, 2013*. *Statistical Booklet*. Yerevan: National Statistical Service, 2013, pp. 107-108.

members of parliament, political party activists and journalists ended up among the opponents of that law and who questioned the necessity of the adoption of the gender equality law.

Under the circumstances, with a view to defusing the situation the Armenian Government submitted to the RoA National Assembly a suggestion to remove some gender-related definitions from the Law. This motion further encouraged the "anti-gender group" that started demanding that the law be repealed. Having examined the RoA Government's proposal and discussed the issue with gender experts and NGO sector representatives, the RoA National Assembly's Standing Committee on Protection of Human Rights and Public Affairs made a decision to review within a year the amendments proposed by the RoA Government.

In its Concluding observations concerning Armenia's four national reports, the CEDAW Committee mentioned the absence of the national machinery in the country and drew the Government's attention to the necessity of establishing it. The issue of the establishment of a national machinery for the advancement of women is addressed also by the *RoA Law on Provision of equal rights and equal opportunities for women and men* and the *Strategic Program of Gender Policy of the Republic of Armenia for 2011-2015*. Nevertheless, so far the national machinery that would meet the requirements of the CEDAW Committee's General Recommendation No. 6 and of the Beijing Platform for Action has not been set up yet.

As a result of the absence of the national machinery the implementation of the Strategic Program of Gender Policy of the Republic of Armenia for 2011-2015 and coordination of the operation of the existing institutional mechanisms are ineffective, the strategy of mainstreaming a gender component into political practices is not adequately pursued, gender inequality and gender-based discrimination in power and decision-making are growing, while women's representation in the legislature and in bodies of local democracy remains low. The country's commitments under the UN *Convention on the Elimination of All Forms of Discrimination against Women* and other UN Conventions are not adequately met.