

Alternative Report

A Submission to the Committee on the Rights of the Child on the implementation of the United Nations Convention on the Rights of the Child

Armenia

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Child Protection Network - Armenia

(Coalition of NGOs)

This submission has been prepared by the Armenian Child Protection Network (CPN).

The Child Protection Network is a national coalition of Armenian child-centered civil society organizations, which began its operation in 2005 with a purpose of contributing to improvement of the quality of services provided to children and families in difficult situations, and to promote new mechanisms and regulations of the child protection system in Armenia. CPN has almost 50 member organizations operating in various regions of Armenia.

CPN's strategic directions are advocacy and lobbying for the improvement of laws, procedures and practice in the field of child protection and awareness raising on child rights.

Since May 2023 CPN is a full member of Eurochild.

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SUMMARY

In Armenia, children constitute approximately 20 percent of the population. In 2023, Armenia also received around 31,000 children forcibly displaced from Nagorno Karabakh.

Despite several legislative amendments and policy programs aimed at protecting children's rights and enhancing the child protection system, numerous violations of children's rights persist. Widespread child abuse and insufficient accountability for violence persist both in families and institutions. The child protection system falls short in comprehensively and adequately safeguarding children from domestic violence, with no absolute ban on corporal punishment. Legal and judicial processes for reporting violence remain inaccessible to children, and specialists in the field lack sufficient professional knowledge and capacities.

While progress has been made in ensuring the child's right to live in a family, these reforms have not been uniformly implemented for children with disabilities. Despite strides in inclusive education, there are significant gaps in providing support to each child according to their needs.

The poverty level among children remains high at around 32.3%¹.

Insufficient and unaggregated data hinder the development of targeted policies, as official statistics on children are scarce. In these statistics, children are frequently not categorized as individuals aged 0-18. Instead, groupings are often separated based on different age thresholds (e.g., 10-19, 14-19), which blurs the age group of children and makes it impossible to obtain information about them as a distinct group. Children's participation in decision-making at all levels remains low.

Armenia also faced emergency situations in children's rights protection since 2020, including the Covid-19 pandemic, the influx of refugees from the 2020 Nagorno-Karabakh war, and the forced displacement of Nagorno-Karabakh residents in 2023. These crises required urgent solutions to ensure children's rights, such as the right to life, minimum living standards, health, and education.

GENERAL MEASURES OF IMPLEMENTATION

Data collection systems exist for certain children's groups, but they often lack coverage for all demographics, resulting in challenges with data quality and comprehensiveness. Additionally, there is a lack of a multi-sectoral data exchange system between various bodies, and the monitoring and evaluation of the child care and protection system are underdeveloped.²

Even more structured systems like the "Manuk" system have data gaps, as it does not provide essential information on the child's trajectory. Data collection often lacks sex disaggregation, limiting the development of targeted policies, and girls are only partially visible in statistical data.³

¹ <https://www.civilnet.am/news/758770/մանկական-աղքատության-ամենաբարձր-ցուցանիշը-շիրակում/>

² Monitoring and evaluation of the reforms of the child care and protection system in Armenia and response to identified issues <https://bettercarenetwork.org/sites/default/files/Armenia%20Assessment%20Report-arm.pdf>

³ https://www.wvi.org/sites/default/files/2019-10/FINAL_REPORT.pdf

Additionally, some official statistics, such as the number of offenses⁴ and legally liable persons⁵, are still not separated by the age group of children.

Training on the Child Rights Convention is fragmented and lacks continuity and institutionalization. The government has not translated Concluding Observations into an accessible language for children, including those with disabilities. Few non-governmental organizations were involved in discussions on the draft of the State Report, and children were not engaged in the report's preparation and development.

Recommendations

- Develop standardized indicators to effectively monitor the implementation of child rights reforms and implement robust data quality assurance systems to ensure accurate and comprehensive reporting.
- Foster broader collaboration with civil society stakeholders, including non-governmental organizations and experts specializing in the protection of the rights of vulnerable groups. Engage local self-government bodies, judicial entities, parents' groups, and children directly in the development process of the State Report.
- Prioritize accessibility by creating a child-friendly version of the State Report. Disseminate child-friendly version of the State Report among children to enhance their understanding of the country's progress in upholding their rights.

Legislation

In recent years, the RA government has adopted a number of major laws enhancing the child rights protection, including the law “On Prevention of Domestic Violence, Protection of Victims of Domestic Violence, and Restoration of Solidarity in the Family”⁶ and the law “On the Rights of Persons with Disabilities”⁷.

However, the new law “On Children’s Rights”⁸ and the comprehensive anti-discrimination law”⁹ have not yet been adopted.

Comprehensive policy and strategy

Since 2021, no comprehensive strategic plan on child rights has been adopted.

Actions for the protection of children’s rights were reflected in separate sectoral strategic plans, as well as concepts and strategic plans for the protection of children’s separate rights were adopted. Among them is

⁴ https://armstat.am/file/article/soc_sit_2022_30.pdf

⁵ https://armstat.am/file/article/soc_sit_2022_32.pdf

⁶ <https://www.arlis.am/DocumentView.aspx?DocID=179720>

⁷ <https://www.arlis.am/DocumentView.aspx?DocID=182971>

⁸ <https://www.e-draft.am/projects/524>

⁹ <https://www.e-draft.am/projects/1801>

the 2014-2019 Mental Health Promotion and Improvement Program¹⁰, the Action Plan for 2021-2026 Mental Health Promotion and Improvement Program¹¹, 2020-2022 Human Rights Action plan¹², Strategy for the Health Improvement of Children and Adolescents and the 2016-2020 Action Plan¹³, Integrated Program 2019-2023 for Exercising the Child's Right to Live in the Family and for his/her Harmonious Development¹⁴.

While the inclusion of actions on child rights in thematic and general human rights strategies is important, from the perspective of consistency and monitoring, a separate conceptual framework and strategy with clear vision, goals and actions on the protection of the rights of the child is essential.

Recommendations

- Develop a comprehensive conceptual framework and strategy for the protection of children's rights, encompassing response mechanisms across various intersecting areas of rights.
- Facilitate and ensure the meaningful participation of children in the development of strategies and action plans related to children's rights to promote inclusivity and a child-centric approach.
- Guarantee that action plans addressing child rights are accompanied by adequate funding to effectively implement and achieve the outlined objectives.

Coordination

In 2005-2006, a three-tier system for the protection of children's rights was introduced, comprising the National Commission (national level), departments of Families, Women, and Children's Rights Protection in regional administrations (regional level), and Guardianship and Trusteeship Bodies (community level) in local self-government bodies with respective Trusteeship and Trusteeship Commissions.

The three-tier system requires improvement and development at all levels to fully implement child protection and ensure the enactment of child-centered policies with systematic monitoring.¹⁵

The National Commission's effectiveness in coordinating discussions on children's rights has been limited. From 2012 to 2021 (i.e., during 9 years), the Commission convened only 16 sessions, failed to establish necessary working groups, and its decisions remain advisory.

The most vulnerable tier is the first level, the Guardianship and Trusteeship Bodies, tasked with directly protecting the child's rights in communities. Operating on a voluntary basis, they mainly handle administrative and document-related functions for children without parental care and those facing adversity. The collegial decision-making nature justifies their work, but members often lack professional

¹⁰ https://www.e-gov.am/u_files/file/decrees/arc_voroshum/2104/04/15-1ardz.pdf

¹¹ <https://moh.am/uploads/2940hrh.pdf>

¹² <https://www.arlis.am/DocumentView.aspx?DocID=143579>

¹³ <https://www.arlis.am/DocumentView.aspx?DocID=10820u>

¹⁴ <https://www.arlis.am/DocumentView.aspx?docID=140949>

¹⁵ Child Protection Index. 2016. Armenia
<http://www.childpact.org/2016/11/17/child-protection-index-armenia-2016/>

qualifications, knowledge, and skills, making decisions without in-depth understanding of the child and family issues¹⁶.

The methodological guideline for these bodies lacks clear procedures and tools, omitting principles such as the best interest of the child and the right to be heard. Supervision over their activities and liability for improper performance are not regulated.¹⁷

There is no mechanism for meaningful participation of children in policy development and monitoring, and comprehensive public information on the functions and activities of child rights protection systems is unavailable.

Recommendations

- Take steps to enhance the three-tier system of child rights protection, focusing on improving logistics, professional qualifications, and methodological expertise. Strengthen the institution of oversight and accountability.

Allocation of resources

The RA government has not implemented mechanisms to control and evaluate the adequacy, efficiency, and equality of resource distribution allocated for Convention implementation.

While Armenia has introduced a program budgeting system requiring non-financial indicators, it falls short in fully evaluating allocations for children's rights. It remains unclear how child-centered budgeting and informal approaches to indicators will be ensured.¹⁸

Issues with budget funds allocation for children include a lack of clear mechanisms to track direct and indirect expenditures, insufficient links between child-related programs and budgeting, inefficient spending, and incomplete accountability. Budget data lack disaggregation by sex, age, or geography, complicating equity and equality analysis. Costs of reforms in key social sectors impacting children often lack proper financial analysis. Program-based budgeting methodology excludes investments targeting children, complicating monitoring and evaluation of resource allocation adequacy, effectiveness, and equity. Ensuring child-focused budget expenditures at the local self-government level is also problematic.

Recommendations

- During the implementation of program-based budgeting reforms, prioritize the consideration of budgets' impact on children and ensure clear formulation.

¹⁶ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

¹⁷ <https://www.ombuds.am/images/files/615b7bff7bdaac165eeb767625c6adf1.pdf>

¹⁸ <https://transparency.am/files/publications/15u0091161-0-290157.pdf?v=4>

- Implement Child-focused Public Expenditure Assessment (C-PEA) to enhance targeted efficiency, equity, sustainability, transparency, and accountability of child-related policies and budget allocations.
- Introduce a monitoring system for child-focused public spending based on C-PEA results, allowing for routine analyses.
- Enhance transparency and accountability in budget management by including data on child-focused expenditures in budget messages and periodic financial reports.

Independent monitoring

In recent years, the RA Human Rights Defender has engaged in extensive activities to protect child rights. However, the annual report lacks clarity on the number of children who approached the Human Rights Defender, how many children's applications/complaints initiated proceedings, and how the effectiveness of the introduced mechanism was evaluated. It is crucial that chapters related to children's rights in the Defender's report be published in an accessible format for children.

There are at least two 24-hour institutions in Armenia providing military-sports education to children, but there is no available independent monitoring data on child rights in these institutions.

Recommendations

- Ensure that children are informed about the Child's Rights Protection system within the Human Rights Defender's structure, making the system accessible to all children, including those living in institutions.
- Make publications on children's rights, including the state of rights protection, accessible to children of varying ages and disabilities, aligning with their communication needs.
- Implement independent child rights monitoring in all public and private institutions offering education and services to children.

GENERAL PRINCIPLES

Non-discrimination

The RA government and civil society have implemented programs to reduce sex-selective abortions and discrimination against girls. Some data suggest a decrease in the preference for boys, with an increase in those giving equal preference to boys and girls¹⁹. However, the issue persists. In January-September 2023, the sex ratio of newborns was 110.4 boys per 100 girls, compared to 111.9 in the same period the previous year²⁰.

¹⁹ <https://armenia.unfpa.org/sites/default/files/pub-pdf/Costing%20Analysis%20Report-Final.docx>

²⁰ https://armstat.am/file/article/sv_09_23a_520.pdf

The RA government has not yet adopted comprehensive anti-discrimination legislation to prevent and protect children from discrimination.

Recommendations

- Ensure the sustainability of programs targeting the elimination of sex-selective abortion practices, with a specific focus on the most vulnerable settlements.
- Expedite the adoption of comprehensive anti-discrimination legislation, ensuring its effectiveness in protecting children with diverse needs from discrimination. Establish a child-centered and accessible mechanism for protection against discrimination.

Best interests of the child

Provisions defining the best interest of the child have been included in a number of legislative acts, which is an important step. Nevertheless it is not fully implemented in practice. Thus, while the guardianship and trusteeship bodies usually formally refer to “the best interest of the child”, they do not properly weigh whether the decision would be in the best interest of the child. The review of judicial acts shows that there is no uniform judicial practice on how to determine the best interest of the child²¹.

Recommendations

- Develop comprehensive guidelines on the best interest of the child, considering the specific characteristics of various groups of children. Target professionals working with children, including social workers, educators, psychologists, lawyers, law enforcement officers, and courts. Integrate courses on the best interest of the child into the continuous training programs for these professionals.

Respect for the views of the child

As a general rule, children are not involved in decision-making processes at the policy level. Since 2020, a Student Council under the Minister of Education, Science, Culture, and Sports of Armenia has been functioning. However, there is no mandatory condition for the percentage inclusion of students with disabilities, nor is there a requirement for the inclusion of students from special educational institutions²². The Student Council formed in 2022 does not include any representative from special educational institutions for children with disabilities²³.

²¹ <https://www.unicef.org/armenia/media/12721/file/Երևիսայի%20յալազույն%20շաղկապ.pdf>

²² Order of the RA Minister of ESCS on approving the procedure for the formation of a Student Council under the RA Minister of ESCS, dated 01.02.2020

<https://escs.am/files/files/2020-12-24/088cf9505f74721a5dca35adcc512f4c.pdf>

²³ Order of the RA Minister of ESCS on approving the composition of the Student Council under the RA Minister of ESCS, dated 07.02.2020

<https://escs.am/files/files/2022-02-08/6c2d89bfb462dc3a9adeca507ba13702.pdf>

Children's participation in school policy development is mainly limited to the formation of student councils, which often do not function as intended. The student council also does not play a role in ensuring children's participation in the school's self-governance.

The RA Constitutional Court has made a decision on medical intervention with regard to children, establishing the principle of taking into account the child's opinion. However, it fails to establish the duty of relevant authorities to provide sufficient support in this matter. The amendment to the law developed to implement the decision of the Constitutional Court regarding consent for providing medical assistance to a child with mental health problems also lacks this duty²⁴.

Recommendations

- Develop platforms at the policy level for collecting children's views and opinions.
- Introduce a mandatory condition for the Student Council under the RA Minister of Education, ensuring that at least 15% of the Council comprises children with disabilities and students from special educational institutions for children with disabilities.
- Enact legislation mandating the provision of accessible means for children to express their opinions.

CIVIL RIGHTS AND FREEDOMS

Freedom of association and peaceful assembly

The Constitution of the Republic of Armenia, along with laws on non-governmental organizations and freedom of assembly, does not restrict the formation of associations or the involvement of children in assemblies. However, children are typically uninformed about these possibilities, and their participation in community decision-making is often overlooked, hindered, or not taken seriously²⁵.

In recent years, children's involvement in assemblies has increased, especially during non-violent demonstrations and civil disobedience actions in the 2018 revolution. However, children faced apprehension and physical injuries during these events. They also participated in demonstrations related to environmental issues, such as protests against the Amulsar gold mine exploitation in 2018 and 2019-2020, as well as various demonstrations from 2020 to 2023.

The right of children to participate in assemblies has been debated in public discussions, particularly when their involvement occurs during school hours. The government has not developed a clear policy to guarantee the right to freedom of assembly and the safety of child protesters.

Recommendations

²⁴ <https://www.arlis.am/DocumentView.aspx?docid=149829>

²⁵ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

- Increase awareness among children regarding the right to freedom of association and assembly.
- Develop comprehensive guidelines outlining the means and specificities of executing these rights for children.
- Formulate guidelines for state bodies, including police officers, to ensure the protection of children's right to freedom of assembly and to organize safety measures for children participating in assemblies.

Protection of privacy

Violations of children's personal data have been documented in video recordings at schools, the online publication of children's data, and during medical examinations.

Personal data is inadequately protected for pre-enlistment age children undergoing medical examinations for military service. According to children, these examinations lack privacy, as they are compelled to undress and be examined in the presence of other children.

Data concerning the sexual orientation of enlistment age children who identify as homosexual is also at risk. LGBT rights organizations highlight that due to potential violence based on sexual orientation in the armed forces, some homosexual individuals seek exemption from military service, disclosing their sexual orientation to the conscription commission. Commission members often disclose this information to the conscript's family without consent, leading to potential psychological and physical violence against the child, including expulsion from home.

Recommendations

- Implement measures for the comprehensive protection of children's personal data.
- Implement specific measures to safeguard the personal data of pre-conscripts during the conscription process.

VIOLENCE AGAINST CHILDREN

Ill treatment and corporal punishment. Freedom of the child from all forms of violence

The general provisions of the RA Criminal Code recognize various forms of child abuse, including severe psychological suffering and sexual violence as crimes. However, corporal punishment is not explicitly criminalized and remains a customary practice²⁶. Domestic violence is not recognized as a separate crime. There are no dedicated mechanisms for recording and reporting child abuse²⁷.

²⁶ <https://endcorporalpunishment.org/reports-on-every-state-and-territory/armenia/>

²⁷ <http://www.childpact.org/wp-content/uploads/2016/11/CPI-Armenia.pdf>

Violence, including physical and psychological abuse, persists in family, school, and institutions²⁸, often justified as "educational methods."²⁹

Child care institutions lack specific regulations for staff to govern relationships with children and ensure protection from violence. In practice, specialists often resort to reprimanding, subjugating, and authoritarian management. The range of punishments is diverse, including common methods like "making stand in the corner" and "shouting," alongside more severe measures such as "keeping in a dark place," "expelling from school," and other non-standard practices. Unfortunately, many children perceive these punishments as justified.³⁰

Efforts, including the adoption of the law on domestic violence, fall short of adequately protecting children from violence in the family. The insufficient number of shelters further jeopardizes child protection³¹. In cases of domestic violence, police-issued warning and emergency intervention orders against alleged abusers are frequently overturned by administrative courts, leaving victims, including children, in vulnerable situations³².

Professionals in the social sector and guardianship and trusteeship bodies lack sufficient legal and regulatory support to actively record and report violence cases. Rehabilitation services are not universally accessible.

Bullying among children

Bullying is prevalent in the children's community, and current RA legislation and practices do not adequately ensure prevention and protection.

The social-psychological environment in schools lacks safety measures against violence, intimidation, bullying, and discriminatory treatment. Both school staff and children are insufficiently informed about children's rights³³.

Surveys indicate that 38% of children in Armenia have witnessed a child being beaten in the community, and 35% have observed bullying at school 1-5 times³⁴. In a 2022 survey in a regional area of Armenia, 42.8% of school principals and 30% of teachers dismiss mocking and hitting as mere "childish mischief" rather than bullying³⁵.

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<https://www.unicef.org/armenia/media/4026/file/Երեխաների%20պաշտպանությունը%20ընտանիքում%20զեղչումը%20մասնագետների%20համար.pdf>

²⁹ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

³⁰ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

³¹ <https://www.hrw.org/news/2018/01/12/armenia-little-protection-aid-domestic-violence-survivors>

³² <https://drive.google.com/file/d/1moS8gPeOIZ7ojekqL9fRLcFaTIwWh4eW/view>

³³ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

³⁴ "In the child's opinion..." survey results, Save the Children, World Vision, April-May, Save the Children, World Vision, RA Human Rights Defender (2017) https://resourcecentre.savethechildren.net/pdf/yv_brief_version_final_arm.pdf; A. Hambardzumyan (2021) "Bullying in Yerevan school environment – sociological survey", Open Society Foundations - Armenia, Institute of Public Policy (2021) <https://erit.am/documents/pdf/1e81b93bf2d9f3223649de4a82ccfaa7.pdf>

³⁵ https://kanani.am/wp-content/uploads/2022/04/Intra_bullying-study.pdf

The Human Rights Defender notes that mainstream educational institutions lack effective systems to identify and respond to bullying. Clear policies combating discriminatory attitudes causing bullying are absent, and school principals and educators lack sufficient knowledge about bullying. Legislative mechanisms for protecting children from psychological and other forms of abuse are not adequately applied in educational institutions to address bullying.³⁶

Recommendations

- Explicitly criminalize corporal punishment against children and domestic violence.
- Establish robust mechanisms for recording and reporting instances of violence against children.
- Ensure an adequate number of shelters for children and women affected by violence, along with protective measures during investigations.
- Legally define "bullying" and outline comprehensive measures for prevention, detection, response, documentation, monitoring, and confidential reporting by children.
- Conduct a thorough survey to assess the prevalence of violence against children, considering age, sex, disability, and other vulnerable conditions.
- Promote public awareness campaigns to foster intolerance towards any form of violence against children.
- Implement effective preventive systems against violence within institutions.
- Guarantee accessible complaint procedures for all children, accommodating their specific needs based on sex, age, disability, or other circumstances.
- Establish financial and quality control systems for social-psychological and rehabilitation services, including accreditation of private services.

Investigation of cases of child abuse

According to the RA Investigative Committee data for the first half of 2023, 699 criminal proceedings on crimes against children were investigated, with only 36 resulting in an indictment³⁷. Among these, 3 cases involved serious harm to health, 2 kidnapping, 7 acts of a sexual nature, and 24 other crimes. Of the proceedings sent to court, 16 of 35 accused were family members, 3 were guardians, trustees, and 1 was a healthcare facility employee.

³⁶ <https://www.ombuds.am/images/files/34b7bedf65b11eccc9be20dd5ee9d22a.pdf>

³⁷ <https://www.investigative.am/news/hh-qnnchakan-komiteoum-2023t-arajin-kisamyakoum-qnnvel-e-anchapahasneri-koghmik-katarvac-220-ev-anchapahasneri-nkatmamb-katarvac-hancagorcoutyouannerov-699-qreakan-varouyt-ampopoum>

In 2023, out of 536 victims in cases of domestic violence, 84 were under 18 years old³⁸. Both law enforcement and judicial bodies may display a stereotypical approach, often inadequately responding to violence cases, hindering effective investigations and sometimes justifying the violence³⁹.

Statistical data on crimes against children frequently lacks disaggregation by sex, disability, nationality, sexual orientation, etc., preventing a comprehensive understanding of the crime landscape and the development of targeted policies.

Examples of cases of child abuse and their ineffective investigation are presented below:

- A father physically assaulted his child using a rubber baton, hitting him around 10 times, and poured sulfuric acid on him, causing burns. Despite an immediate intervention order, the father returned home and continued abusing his son. While discussing the issue of dismissing the case with amnesty in court, the mother stated that she had no objections to the application of amnesty. The father was granted amnesty and returned home, and the child did not receive any social-psychological support.⁴⁰
- In October 2019, reports and photos circulated of children with disabilities being tied to wooden chairs in kindergarten No. 92 in Yerevan. The situation was not investigated, the director also did not deny the allegations⁴¹.
- On March 5, 2020, a woman's partner beat her and her minor child, resulting in the mother's death and the child's hospitalization with serious injuries⁴². Law enforcement bodies were aware of the family's situation but failed to provide effective supervision and protection for the children.⁴³
- On June 1, 2023, a video surfaced showing a high-ranking police officer beating a 16-year-old waiter. It became known that the police had been aware of the incident months ago but had not initiated a criminal case, citing the police official's alleged "active remorse." Only after the video's dissemination and public outrage did the RA Prosecutor's Office initiate a criminal case, bringing charges against the abuser.⁴⁴
- In 2023, a video revealed a mother physically, sexually, and psychologically abusing her children. Despite the social protection bodies' awareness, the children continued to live in the abusive environment until public exposure led to a criminal case and their transfer to a social protection institution⁴⁵.
- In March and May 2023, the Monitoring Group exposed violations of children's rights in an orphanage, including potential physical abuse, threats by staff, overcrowding, inadequate provision of hygiene products, and movement restrictions. No investigations were conducted regarding these reported problems⁴⁶.

³⁸ http://www.investigative.am/news/view/yntanekan-brnutyunner_2019.html

³⁹ For example, one of the judges examining a criminal case of domestic violence against a child noted: "It's a family, everyone argues, I'm a father too, I raise both my hand and my voice to my children". https://drive.google.com/file/d/1FdZUB4-E2mijY8JRohnP7b_XoqrXh2zm/view?usp=sharing

⁴⁰ https://drive.google.com/file/d/1FdZUB4-E2mijY8JRohnP7b_XoqrXh2zm/view?usp=sharing

⁴¹ <https://168.am/2019/10/18/1190816.html>

⁴² <https://medialab.am/50078/>

⁴³ https://www.youtube.com/watch?time_continue=1u1&v=z5YWpcwdrcA&feature=emb_title

⁴⁴ <https://armtimes.com/hy/article/261479>

⁴⁵ <https://armtimes.com/hy/article/266934>

⁴⁶ <https://hcav.am/wp-content/uploads/2023/07/%D4%B6%D5%A1%D5%BF%D5%AB%D5%AF-03%E2%80%A405%E2%80%A42023-1.pdf>

Recommendations

- Develop guidelines specifying the provision of legal assistance in cases of violence against children.
- Conduct comprehensive training for lawyers, including those in the public defender's office, focusing on domestic violence, child abuse, children's rights, and rights protection. The training aims to prevent victims from experiencing re-victimization by professionals and ensure the full representation of their rights in court, during investigations, and preliminary proceedings.
- Ensure a thorough, effective, complete, and timely investigation of all cases of child abuse.

Harmful practices

The RA Statistical Service groups persons aged 16-19 in statistical data on officially registered marriages, making it challenging to discern how many involve children under 18⁴⁷. Additionally, there is no data disaggregation by residence or nationality. In 2021, according to the statistical service, 676 girls (379 from rural areas) and 28 boys aged 16-19 entered into marriage⁴⁸. Early marriages among girls in the Yezidi community still occur, albeit to a lesser extent, according to research⁴⁹.

Recommendations

- Conduct a comprehensive survey and gather periodic statistical information on the prevalence of early child marriage. Ensure the data is disaggregated by sex, place of residence, national and racial origin, poverty, and other relevant indicators.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Family environment

In recent years, the Armenian government has carried out extensive work towards exercising the child's right to live in the family. Boarding institutions, as well as Vanadzor orphanage, were dissolved. The government has announced about individual support packages for families, as well as increased day care services to prevent children from entering institutions⁵⁰.

However, in 2022, at least 7 orphanages (5 state and at least 2 non-state) continued to operate in the Republic of Armenia. 590 children continue to live in orphanages, 489 children in specialized orphanages⁵¹, 174 children in non-state orphanages⁵². Moreover, in 2022, 124 children were admitted to orphanages (62 children to non-state orphanages, 62 children to state orphanages).

⁴⁷ https://armstat.am/file/article/demog_2022_6.pdf

⁴⁸ Ibid.

⁴⁹

https://epfarmeria.am/sites/default/files/Document/Problems_of_Early_Marriage_and_School_Dropout_in_the_Yezidi_Community_2022_Armenian.pdf

⁵⁰ <http://www.mlsa.am/wp-content/uploads/2017/05/AnnualFinal1.pdf>

⁵¹ https://www.armstat.am/file/article/f_sec_1_2020_1.pdf

⁵² https://armstat.am/file/article/sv_03_23a_530.pdf

The number of children with disabilities continues to grow in specialized orphanages. Thus, in 2021, 456 children lived in specialized orphanages, in 2022 - 489 children⁵³. The oversight of non-state institutions providing round-the-clock services is also insufficient.

There are gaps in fully ensuring the child's right to live in the family, including in terms of preventing institutionalization and creating a safe environment in the family, which are caused by a number of circumstances described below.

Despite the changes implemented in the field of social service provision, social services remain administrative in nature, the volume of individualized social work is small, the number of social workers in communities is not sufficient, the administrative overload and caseload of social workers is too high, there are no social workers specialized in child protection issues. Social services are largely staffed by professionals of related fields/paraprofessionals who lack sufficient competence to manage child welfare and protection cases. As a result, many children at risk are excluded from support and protection programs.

On the other hand, when organizing the protection of children in crisis situations, the prevention component is often poor and instead of using tools aimed at improving the situation in the family, the solution is to take the child out of the family and refer him or her to a crisis center.

Especially in the context of prevention of cases of separation of children from parents with addictions and mental health problems, neither providing services of a caregiver, assistant, companion (according to the stages of the child's life) in the family environment, nor providing integrated medical care to the parent from the first stage of identifying the problem is enough⁵⁴.

In 2023, three state and two non-state crisis centers operate in Armenia, which provide temporary round-the-clock services to children in difficult life situations. The survey conducted in state crisis centers showed that an average of 22% of those under care are transferred to a long-term 24-hour care institution. According to statistics, 27% of children have appeared twice in the crisis center, but a part of these cases are those when the child was only formally discharged and re-admitted to the institution in order not to violate the maximum period of the child's stay in the crisis center provided for by law. Thus, for some children, the crisis center becomes a long-term care institution. In addition, due to this situation the capacity of crisis services to accept new children decreases.

Research indicates that typically placement in round-the-clock institutions is a one-way process. Local self-government bodies have no obligation to monitor the trajectory of the child and take measures to return the child to the community.

There are no special services for minor parents and their children.

There are no specialized services for children in alternative care. Mainstream services are used to respond to these needs, but those are not sufficient in their coverage and scale to respond to all the needs.

⁵³ https://armstat.am/file/article/f_sec_4_2022_1.pdf

⁵⁴ https://drive.google.com/file/d/1DB_y37KHWGA264KOvazoY_1YiDguSyWx/view?usp=sharing

In cases of children using alcohol and psychotropic substances, the criminal-legal approach prevails and the social component in the matters of prevention, early detection, intervention, and rehabilitation is missing.

There are very limited specialized services in communities (health care, educational, social, etc.) to support children with disabilities to live in families. To some extent, they are provided by inclusive mainstream schools and pedagogical and psychological support centers and day care centers. Communities lack specialized services for children with mental health problems and their parents⁵⁵.

Mechanisms for assessing and monitoring the condition of the child in the family and the quality of support services are very limited. The existing monitoring mechanisms do not enable to monitor the trajectory of children who appeared in the alternative care system and returned to their biological family, and to assess the quality of the provided services. Adequate mechanisms to regulate and control the services provided by non-state organizations are not available; they operate to some extent only in case of voluntary accreditation of these structures⁵⁶.

Foster Care

In recent years, a number of legislative changes aimed at the development of foster care have been undertaken, as well as the financial support for foster care has been increased. In 2022 the number of children in foster families was 107, which is over the index of the previous year by only 19 (88 in 2021)⁵⁷. Only eight children with disabilities live in seven foster families as of December 2023.

The organization of foster care lacks sufficient professional guidance, but is rather based on administrative processes. There are no clear mechanisms for matching, placement, monitoring of foster parents and children placed in foster care as well as mechanisms of subsequent reunification with biological parents. Non-governmental organizations providing specialized service are not involved in the process of providing foster care services, which also has a negative impact on the development and quality of the foster care institution.

Specialists such as healthcare professionals, educators, therapists, do not have clear roles and responsibilities of providing services to children placed in foster care.

A universal and consolidated guideline for the monitoring and evaluation of foster care has not been developed, and measures to ensure the quality of data on foster care are not implemented. The level of public awareness of the provision of care in foster families to children in adversity is not sufficient. A public awareness and advocacy strategy for the promotion of foster care has not been developed⁵⁸. In case of specialized foster care, professional services are not provided, only financial support is provided.

⁵⁵ <https://bettercarenetwork.org/sites/default/files/Armenia%20Assessment%20Report-arm.pdf>

⁵⁶ Ibid

⁵⁷ https://armstat.am/file/article/f_sec_4_2022_1.pdf

⁵⁸ <https://bettercarenetwork.org/sites/default/files/Armenia%20Assessment%20Report-arm.pdf>

Children leaving care

There are no services for preparing children for independent life and no aftercare services. Children in institutional care do not receive sufficient support in acquiring independent life skills. Chances of children living in institutions to receive professional, including higher education are low. Orphanage graduates are at high risk of homelessness, unemployment, abuse of potentially harmful substances, and delinquent behavior.

Childcare services cease abruptly as the child turns 18 regardless of his or her level of social competence. There is no procedure to determine whether a child needs further support and service provision, and no system to provide need-based services after the child turns 18.

By Decision No. 1774 of 28 October 2021 of the RA government, instead of ensuring support imposed a discriminatory ban to apply for the housing purchase certificate provided under the RA government's program for orphanages residents with disabilities who do not have "self-care" skills. People with disabilities and other non-governmental organizations expressed their concern about this change, discussed it with the RA Ministry of Labor and Social Affairs and demanded to remove the ban and provide the necessary support, but the RA government did not call off the change and no steps have been taken yet to ensure the right to housing of those persons with disabilities who had already applied⁵⁹.

Recommendations

- Expand support programs to ensure the child's right to live in a family environment, based on short-term and long-term needs assessments with individualized programs. Ensure the allocation of sufficient funds from the state budget.
- Based on the paradigm of tiered provision of child and family support, introduce in the communities per number of population:
 - o the concept of a person-service,
 - o a multi-component child and family support service (including children with disabilities with diverse needs) in the enlarged community with a component of mobile services,
 - o affordable narrow-specialized services at least at the regional level, gradually localizing them in enlarged communities.
- Introduce mechanisms to delegate specialized services for the organization of foster care to non-governmental organizations.
- Establish the institute of supported guardianship to provide full support to children under guardianship.
- Adopt a withdrawal plan for children living in daycare institutions and implement appropriate procedures.
- Develop procedures that, in the best interest of the child, will exclude the unnecessary transfer of a child from one institution to another, or from one type of care to another.
- Develop guardianship, adoption and foster care promotion programs for children with disabilities.

⁵⁹ Joint Statement on discriminatory decision against orphanage graduates with disabilities, 2021, <https://dra.am/hy/news/համատեղ-հայտարարություն-մանկատան-հաշմանդամություն-ունեցող-ընթացակարգների-նկատմամբ-խտրական-որոշման-մասին-2>

- Introduce services for preparation of independent living and aftercare, with quality and monitoring standards.
- Develop minimum quality standards to ensure more effective monitoring of alternative care services.
- Create an inter-agency information system that will enable tracking the child's trajectory. The information system should include information from all governmental and non-governmental sectors and actors.
- Ensure access to housing rights for graduates of orphanages with psychosocial and mental disabilities with high support needs. Call off the ban on housing rights established by the RA government Decision No. 1774-N of 28 October 2021 for the beneficiaries who do not have “self-care” skills.

Adoption

According to the data of 2015, in the past 10 years 769 children were adopted from Armenian orphanages, 389 of them by RA citizens, 385 by foreigners. Only 6 of the children adopted by Armenians have disabilities, 122 of the children adopted by foreigners have disabilities⁶⁰. In 2022, 12⁶¹ (or 20⁶², according to other data) children were adopted, of which at least 2 adopted by foreigners were children with disabilities; in January-June 2023, 10 children were adopted - all by RA citizens.

Concerns about domestic and foreign adoption in Armenia have been voiced for years, including by independent researchers, pointing out the significant decrease in domestic adoptions, the lack of child-centered systems and the gap in the involvement of qualified social workers in all stages of adoption⁶³. In addition, according to the RA Ministry of Labor and Social Affairs, information emerged more than a hundred cases of illegal adoptions in the last 10 years⁶⁴. Information was revealed about the sale of children inside Armenia⁶⁵, as well as about illegal foreign adoptions. In the framework of reports received with regard to illegal foreign adoptions, as well as illegal separation of children from their parents after birth, in 2019-2020, leading to more than a dozen of criminal cases^{66 67}.

However, despite these findings, adoption, including foreign adoptions, were still carried out in 2019-2022, albeit at a more than 2-fold reduced scale.

Recommendations

- Ensure thorough, effective and timely investigation of all allegations of illegal adoption.
- Conduct research on the well-being of all children adopted in the last 10 years and publish depersonalized information to inform the public.

⁶⁰ <https://jam-news.net/am/hայաստան-ապօրինի-որդեգրումներ-հետաք/>

⁶¹ https://armstat.am/file/article/sv_02_23a_530.pdf

⁶² https://armstat.am/file/article/f_sec_4_2022_1.pdf

⁶³ Adoption as a Child Protection Measure in the Republic of Armenia. Assessment Report. 2015.

https://bettercarenetwork.org/sites/default/files/Adoption_%20Armenia_%20ENG.pdf

⁶⁴ https://armtimes.com/hy/article/19u928?fbclid=IwAR0QlvpLn_mNzebwtPkwbZKAXeq24SqucjM6hD-2P4NHjQzs_mjek0RMpg

⁶⁵ https://armtimes.com/hy/article/19u828?fbclid=IwARu--1SCEBxUJV9vMmqpG8QILHOykiNUZEeUST_odJOgE8lqLO2OAEURpcU

<http://www.investigative.am/news/view/գրումի-եղեղաքի-վազաւոք.html>

<http://www.investigative.am/news/view/erexavi-vacharq.html>

⁶⁶ <https://www.sns.am/hy/հայրորդագրութիւններ/2019/11/14/բացահայտվել-են-օտարերկրացիների-կողմից-երեխաների-ապօրինի-որդեգրման-բազմաթիւ-դեպքեր/245>

⁶⁷ <http://www.prosecutor.am/am/mo/77u8/>

<https://investigative.studioone.am/news/erekhaneri-aporini-vordegman-gvortsyov-meghadranq-e-arajadrvel-11-andzi>

- Prevent the continued service of any employee involved in illegal adoption processes, especially in positions related to children's rights.
- Develop control systems and independent monitoring of the adoption process, including the stage of judicial examination.
- Establish clear criteria and procedures for the selection of adoptive parents, considering not only their welfare but also assessing their parenting skills.

DISABILITY, BASIC HEALTH AND WELFARE

Children with disabilities

According to the RA Ministry of Labor and Social Affairs, as of July 2023, there were 9,012 registered children with disabilities under 18 in Armenia, with 2,868 girls (31%) and 5,664 boys (69%). Despite recent reforms, including the adoption of the law "On the Rights of Persons with Disabilities" and strategic programs, children with disabilities encounter barriers in family life, education, healthcare, and exercising other rights. Some children with disabilities remain unidentified and as a result deprived of any services.

Inaccessibility of rehabilitation services for children with disabilities

Due to the lack of variety, an insufficient number, poor quality, and limited availability of services, children with disabilities often remain without adequate health care and rehabilitation, especially in rural areas.

Access to services outside Yerevan is particularly challenging due to a shortage of professional staff in the regions, lack of equipment, and limited availability of assistive technology. Families bear the burden of travel costs to access services, often resorting to paid and "private" services, impacting the welfare of the child and the entire family⁶⁸.

The quality of rehabilitation services remains undocumented, with a lack of national child rehabilitation standards, clinical guidelines, care models, and protocols to encourage effective, evidence-based rehabilitation services.

Physical accessibility of healthcare services for children with disabilities poses a challenge. Children with visual disabilities lack information about health risks, as such information is not provided in Braille or Armenian Sign Language.

⁶⁸ <https://www.unicef.org/armenia/media/7406/file/Մանկական%20վերականգնողական%20ծառայությունների%20գնահատում.pdf>

Gaps in exercising the right of children with disabilities to live in a family environment

The right of children with disabilities to live in a family environment remains unguaranteed, with an increasing number of children placed in specialized institutions. In 2022, out of 764 children in Armenian orphanages, 528 have disabilities⁶⁹. Despite government measures, such as the establishment of a specialized foster care system, increased pay and training for foster care of children with disabilities, and the creation of regional pedagogical and psychological centers, the results have been inadequate. Children with psychosocial and intellectual disabilities who have reached adulthood still face the risk of being deprived of their legal capacity, as well as being placed in specialized institutions for adults⁷⁰.

Gaps in providing quality education for children with disabilities

According to the data from the Education Management Information System for the 2022-2023 academic year, 1721 students with special educational needs in Armenia have disabilities. While Armenia is transitioning to inclusive education, there are still obstacles to ensuring quality education for children with disabilities. Many educational institutions have physically inaccessible buildings and infrastructures, including classrooms, WC facilities, gymnasiums, libraries, canteens, computer rooms, school yards, sports fields, and other areas. Physical education classes for children with disabilities are often not inclusive.⁷¹

While in August 2022, the RA government adopted Procedure for providing reasonable accommodations, children are not adequately provided with reasonable accommodations, such as assistive devices⁷², personal assistants, transportation to school for children with mobility difficulties, and accessible teaching materials, including plain reading textbooks, audio books, braille textbooks, etc. Some children, formally included in mainstream schools, attend only a few lessons and do not fully participate in school processes. Homeschooling is common for children with high support needs⁷³, often with fewer lessons than the regular school program.

In the absence of reasonable accommodation and sufficient support in mainstream schools, parents are often compelled to resort to special schools. Currently, seven special schools in Armenia serve about 500 children with intellectual, psychosocial, visual, and hearing disabilities.

Recommendations

⁶⁹ https://armstat.am/file/article/sv_03_23a_530.pdf

⁷⁰ <https://www.hrw.org/report/2017/02/22/when-will-i-get-go-home/abuses-and-discrimination-against-children-institutions>

⁷¹ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

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<https://www.unicef.org/armenia/media/15846/file/Կրթության%20կազմակերպման%20գործընթացում%20կիրառվող%20աջակցող%20տեխնոլոգիաներ.pdf>

⁷³ <https://www.hrw.org/report/2017/02/22/when-will-i-get-go-home/abuses-and-discrimination-against-children-institutions>

- Improve the processes of identifying children with disabilities to prevent their exclusion from state support programs and ensure access to all services.
- Ensure the physical accessibility of healthcare facilities, educational institutions, rehabilitation, and daycare services for all children with disabilities.
- Equip rehabilitation programs and services with modern equipment, making them accessible and affordable to children with disabilities throughout Armenia, especially in rural communities.
- Develop individual discharge plans for each child leaving a care institution.
- Ensure that support systems for children leaving care are accessible to those with disabilities, providing differentiated support based on individual needs.
- Include all children living in institutions in inclusive education implemented in general education schools, following General Comment No. 4 (2016) of the Committee on the Rights of Persons with Disabilities.
- End the practice of depriving children with intellectual and psychosocial disabilities of legal capacity upon reaching adulthood.
- Provide reasonable accommodations tailored to each child's individual needs, including the service of a student assistant in educational institutions.
- Limit homeschooling to a short period and only when absolutely necessary for health reasons.
- Establish a clear schedule for creating an accessible environment in mainstream schools using universal design, considering the opinions of children with disabilities.

Health and health services

In current healthcare statistics, morbidity rates for children are divided into the 0-15 and 15-19 age groups. But systematic collection of information on children's health is lacking⁷⁴, rendering the available statistics incomplete. Official statistics on children's use of alcohol, drugs, or tobacco in Armenia are also unavailable.

A long-term cohort study conducted among 10-12-year-old schoolchildren in Yerevan from 2015 to 2018 revealed that 77.2% of children emphasize the importance of physical activity, but only 69.6% engage in regular exercises, and merely 22.2% exercise in the morning⁷⁵.

Healthcare services supporting children are insufficient, with one nurse provided by the RA Ministry of Health for schools with over 350 students. Nurses in smaller schools may cover multiple institutions, primarily handling first aid, responding to epidemics, and routine check-ups, including measurements of weight, height, blood pressure, visual and auditory assessments, and posture deviations.

Children lack sufficient understanding of transitional age changes, information about pregnancy, the risk of HIV/AIDS and other sexually transmitted infections, prevention methods, and disease symptoms. Health education, particularly in sexual health, is not consistently and adequately taught in all schools,

⁷⁴ <https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/book-arm.pdf>

⁷⁵ <https://nih.am/assets/pdf/atvk/db7aad88a52714a90f6b69ecca6df204.pdf>

with insufficient time allocated to each topic and inconsistent teaching methods hindering the formation of necessary skills and a healthy lifestyle in children⁷⁶.

Recommendations

- Fully implement education on a healthy lifestyle, including sexual health, HIV/AIDS, and STD risks among children in schools.
- Educate and inform parents, teachers, and healthcare workers about healthy lifestyle and sexual health issues.
- Develop and implement appropriate policies related to food quality and safety.
- Ensure the enforcement of legislation on tobacco and alcohol consumption and advertising, with a particular focus on restricting access to tobacco and alcoholic beverages for children.

Mental health of children

No large-scale mental health screenings have been conducted among children⁷⁷.

Services for the prevention, early intervention, rehabilitation support, and treatment of children's mental health problems are almost non-existent in Armenia. These services are even less accessible in settlements far from the capital.

In the field of children's mental health care and psychiatric services, mechanisms based on institutionalization are in place. Boarding institutions, such as Kharberd and Marie Izmirlian specialized orphanages, provide care to children with intellectual and psychosocial disabilities in institutionalized settings.

The "Children's Psychiatric Service Improvement Program 2017-2019" did not include the formation of integrated psychiatric services⁷⁸. However, with the support of the RA government, a children's psychiatric department with 12 beds was established at the "Avan" mental health center in 2021. Unfortunately, this department has contributed to the further institutionalization of psychiatric care, raising concerns about human rights violations. During a visit in December 2022, the Human Rights Defender of the Republic of Armenia recorded problems such as the use of restraint measures and placing children of different sexes in the same ward in the department intended for children⁷⁹.

While individual non-governmental and private organizations offer some services to children with intellectual and psychosocial disabilities, their geographical distribution, sustainability, and financial and physical accessibility are insufficient.

⁷⁶ Ibid.

⁷⁷ <https://moh.am/uploads/2940hrh.pdf>

⁷⁸ https://hcav.am/wp-content/uploads/2020/07/evaluation_mental-health-strategy_2014-2019.pdf

⁷⁹ <https://hetq.am/hy/article/151107>

Recommendations

- Conduct comprehensive research on children's mental health.
- Establish affordable, accessible, and quality psychological and psychiatric services for children.
- Integrate psychiatric healthcare services for children within universal, multidisciplinary health facilities.
- Ensure quality, community-based, and geographically distributed services for children with mental health issues and intellectual disabilities, aligning with international human rights standards.

Child's health and environmental issues

In various regions of Armenia, air⁸⁰ and soil⁸¹ pollution, saturation with dangerous substances and chemicals is high due to irresponsible mining, including the presence of open, untreated and uncontrolled tailing dumps⁸² and other types of industrial factors. The government of Armenia does not take sufficient measures to respond to the challenges⁸³ caused by environmental problems, to eliminate the damage caused by irresponsible mineral and other types of industrial and human activity, moreover, research on the impact of environmental problems on children is also insufficient. There is a lack of knowledge among children about climate change and its consequences⁸⁴.

Recommendations

- Take active measures to mitigate the harm caused by irresponsible mineral and other industrial and human activities to the natural environment and public health.
- Conduct surveys on the impact of environmental problems caused by mining on children's health.
- Enhance children's awareness of a healthy environment, climate change, and its consequences.

Standards of living

⁸⁰ “Yerevan, Gyumri and Vanadzor have worst air pollution in Armenia, warns deputy environment minister” . 2022 <https://armenpress.am/eng/news/1089854/>

⁸¹ Assessment of residential soil contamination with arsenic and lead in mining and smelting towns of northern Armenia <https://www.sciencedirect.com/science/article/abs/pii/S0375674217303497>
Environmental Risks of Heavy Metal Pollution of the Soils around Kajaran Town. Armenia.
<http://ysu.am/files/13.%20ENVIRONMENTAL%20RISKS%20OF%20HEAVY%20METAL%20POLLUTION%20OF%20THE%20SOILS%20AROUND%20KAJARAN%20TOWN.%20ARMENIA.pdf>
<https://newsroom.aqa.am/2013/04/04/aqa-evaluates-25-toxic-waste-sites-near-communities-in-armenia/>

⁸² Tailing Dumps as Gifts <https://www.ecolur.org/en/news/mining/11762/>
Geghanush Tailing Dump: Getting Larger and Impacting Life in Nearby Villages
<https://hetq.am/en/article/91359>

⁸³ Technical report on the self-assessment of essential public health operations in the Republic of Armenia. 2018. https://cdn.who.int/media/docs/librariesprovider2/country-sites/armenia/technical_report_public_health_operations_in_republic-of-armenia.pdf?sfvrsn=e3b8da01_3&download=true

⁸⁴ <https://www.unicef.org/armenia/media/13591/file/Հայաստանում%20կյանքի%20պայմանները%20և%20դեռահասների%20մասնակցությունը%20վերաբերյալ%20գիտելիքի,%20վերաբերմունքի,%20փորձառության%20և%20վարքագծի%20հետազոտություն.pdf>

According to the RA Statistical Service, in 2021, about 36% of children in Armenia lived in poor and about 3% in extremely poor conditions⁸⁵. Moreover, the risk of poverty is higher in families with many members and children, and the geographical location is an important factor in the availability of healthy heating, centralized water supply, garbage collection and drainage services, which means that in some communities children are doomed to live in inadequate household conditions.

Recommendation

- Conduct a comprehensive research on the living conditions of children and develop targeted programs to eliminate child poverty. Inform the public, especially target groups, about these programs.

Breastfeeding

Providing flexible approaches and reasonable accommodations for breastfeeding in the workplace or educational institutions is still not perceived and accepted as a child's right. As a rule, accommodations for breastfeeding in workplaces are not provided⁸⁶.

Recommendations

- Fully implement the provisions of the law "On the promotion of breastfeeding of children and the circulation of baby food," including the development of effective monitoring mechanisms.
- Conduct effective oversight and advocate for breastfeeding adaptations in workplaces.
- Collect disaggregated statistical updates on breastfeeding, including in emergency situations, such as the circumstances caused by the novel coronavirus and the war.

EDUCATION, LEISURE AND CULTURAL ACTIVITIES

Education, including vocational training and guidance

Building conditions, accessibility, and sanitary and safety conditions in schools remain alarming. According to the data from the 2022-2023 academic year, 458 out of 1,400 schools in Armenia were in need of major repairs or renovations, 132 lacked sewerage, and 1,151 did not have hot water supply⁸⁷.

In 2022, 2.0% of poor children and 3.6% of extremely poor children cited expense as the main reason for not attending school⁸⁸. At the beginning of the academic year in 2022, 181 children did not finish school, with 70 attributing it to poor socio-economic conditions and 20 to disability⁸⁹. Another study revealed that

⁸⁵ https://armstat.am/file/article/poverty_2022_a_2..pdf

⁸⁶ <https://www.worldbreastfeedingtrends.org/uploads/country-data/country-report/WBTi-Armenia-report-2015.pdf>
<https://point33.am/wp-content/uploads/2022/07/ԿԿ-և-ընտանիքային-վիճակայր.pdf>

⁸⁷ https://armstat.am/file/article/sv_03_23a_5120.pdf

⁸⁸ https://armstat.am/file/article/poverty_2022_a_4.pdf

⁸⁹ https://armstat.am/file/article/sv_03_23a_5120.pdf

one-fifth of extremely poor children not in compulsory education did not attend school due to the need to work or limited financial means⁹⁰.

In 2022, 322 children out of the 764 living in orphanages in Armenia did not attend school, resulting in approximately 500 children being left out of education during 2022-2023.

Despite the implementation of inclusive education, the government still does not ensure affordable and quality education for all children, as discussed in the section on "Children with Disabilities."

As a positive development, in 2021, the government of the Republic of Armenia approved the procedure for the "Identification and referral of children excluded from compulsory education."⁹¹

Access to general education for Yezidi children remains problematic due to insufficient accessibility of educational institutions and exclusion based on traditions, including early marriages⁹². There is also insufficient research on the issue of exclusion from education for national minorities, particularly Boshia and Molokan children.

Recommendations

- Ensure adequate building conditions, including seismic safety and sanitary and hygienic standards, for all schools.
- Implement targeted measures to prevent children from being excluded from education due to poverty, disability, ethnic background, or other reasons.
- Ensure that children living in institutions receive quality education on an equal basis with other children.
- Assess the fulfillment of the right to education for children from Yezidi, Boshia, Molokan, and other ethnic minority communities.

OTHER SPECIAL PROTECTION MEASURES

Unaccompanied, asylum-seeking and refugee children

Although the educational system of Armenia does not explicitly reject refugee children, there is a lack of a systematic support network to engage them in school and inform parents about the educational system. According to research by the UN Special Rapporteur on Refugees and the UN Children's Fund, parents of some children who did not attend school or kindergarten cited language barriers and other difficulties as reasons for their absence. Schools lack specialists who could assist in their integration and provide understanding of the Armenian educational and child support systems. Additionally, there is no separate

⁹⁰ <https://www.unicef.org/armenia/media/15571/file/Հայաստանի%20կրթության%20ոլորտի%20վերլուծություն.pdf>

⁹¹ <https://www.arlis.am/documentview.aspx?docid=149923>

⁹²

[https://epfarmeria.am/sites/default/files/Document/Alternative report to the UN committee on the rights of the child with a focus on Yezidi children in Armenia eng.pdf](https://epfarmeria.am/sites/default/files/Document/Alternative%20report%20to%20the%20UN%20committee%20on%20the%20rights%20of%20the%20child%20with%20a%20focus%20on%20Yezidi%20children%20in%20Armenia%20eng.pdf)

statistics for refugee, asylum-seeking, and displaced children who are not in school, making it challenging to assess the situation accurately⁹³.

Recommendations

- Continue to enhance legislation for the protection of asylum-seeking, refugee, and displaced children. Implement initiatives to raise awareness among their families and the children themselves, and provide support for integration.
- Conduct research and gather disaggregated statistical data on the education, healthcare, community integration, and other rights of unaccompanied, asylum-seeking, and refugee children.

Economic exploitation, including child labour

The new RA Labor Code has significantly improved regulations in the child employment sector, but illegal child labor remains an overlooked problem and an accepted practice in Armenia. According to a 2021 research study, only 4 out of the 8 interviewed children working in sectors such as construction, culture, agriculture, healthcare, hotels/restaurants/cafes had an employment contract. Children are engaged in agriculture, construction, and service provision⁹⁴. Children in state social care institutions are vulnerable to labor trafficking⁹⁵, and there has been an increase in the number of identified beggars and vagrant children in recent years⁹⁶.

Recommendations

- Conduct new research to discern trends in the involvement of children in hazardous and exploitative labor. Regularly compile and update statistical data on this matter.
- Enhance public and children's awareness regarding the detrimental aspects of child labor.

(i) CHILDREN IN SITUATION OF EMERGENCY

Covid -19 Response and Children

On 16 March 2020 a state of emergency due to Covid-19 was declared in Armenia. From 11 March 2020 schools worked remotely. During remote learning, due to the lack of methods, textbooks and other educational materials accessible to children with different learning needs, as well as the lack of technical equipment, the children did not receive a full education. For more than a month, the specialized services for children, including the already limited scope of services intended for children with disabilities, have not functioned.

⁹³ https://www.un.am/up/library/Situation_of_%20Refugee_Children_%20Armenia_2016_eng.pdf

⁹⁴ <https://am.usembassy.gov/hy/2023-tip-report-arm/>

⁹⁵ Ibid.

⁹⁶ https://armstat.am/file/article/sv_02_23a_550.pdf

The government has not disclosed specific protective measures for children facing domestic violence during the COVID-19 pandemic, and it remains unclear what proactive psychological support is provided for those affected by illness or death in their families. Information for children, especially those with disabilities, was inadequately adapted, lacking sign language translation and subtitles, making essential materials inaccessible.

Updates on infections among children in institutions were occasional, with insufficient comprehensive information on anti-epidemic measures and treatment progress. Additionally, there is a lack of information on additional measures for children with disabilities in these institutions.

Nagorno-Karabakh war in 2020 and forced displacement of Nagorno-Karabakh residents in 2023

War and further developments in and around Nagorno-Karabakh due to Azerbaijan's attack from September 27 to November 10, 2020, restrictions on movement, medical services, food and medicine due to the blockade of Lachin Corridor from December 2022 to September 2023, power outages, and gas supply blockade, had a profound impact on children. The forced displacement following the Azerbaijani attack in 2023 led to about 31,000 children seeking refuge in Armenia⁹⁷. Among them were residents of Stepanakert and the Berdzor boarding facility⁹⁸, displaced from Nagorno Karabakh twice - in 2020 and again in September 2023.

The experiences of displacements in 2020⁹⁹ and 2023¹⁰⁰ and the bombardments, and seeking shelter during the two wars¹⁰¹, inadequate living conditions in initial shelters in Armenia, the trauma of fleeing with more than the allowed number of people in one car¹⁰², and the overall psychological impact¹⁰³ temporarily deprived the children of their right to education on an equal basis with others and affected their physical and mental health.

Recommendations

- Develop clear criteria and guidelines for the implementation of distance education, focusing particularly on the educational needs of children with disabilities and diverse requirements.
- Consistently address the challenges faced by children who are out of school during emergency situations and are engaged in hazardous activities.

⁹⁷ <https://www.gov.am/en/news/item/10407/>

⁹⁸ https://www.cifilejournal.com/article_168168_05f2a1aa12594064ba8010c6cabda31e.pdf

⁹⁹ <https://www.unicef.org/armenia/en/children-and-families-affected-nagorno-karabakh-conflict>

¹⁰⁰ <https://www.hrw.org/news/2023/10/05/guarantee-right-return-nagorno-karabakh>

¹⁰¹ <https://www.ombuds.am/images/files/e76a3b67b4a56fadb3271705e33ecec5.pdf>

¹⁰² <https://www.hrw.org/news/2023/10/17/driven-fear-nagorno-karabakh>

¹⁰³ <https://www.unicef.org/armenia/en/press-releases/refugee-children-arriving-armenia-showing-signs-severe-psychological-distress-unicef>

- Implement comprehensive measures to secure adequate living conditions for every displaced child, guaranteeing the right to education, conducting accurate health assessments, including mental health evaluations, and taking proactive steps for maintenance and management.
- Ensure the availability of social and psychological support services for children in emergency situations.
- Undertake measures to meaningfully integrate children displaced from Nagorno Karabakh into Armenian society.

(II) CHILDREN IN CONFLICT WITH THE LAW

Administration of juvenile justice

According to the RA Statistical Service, in the first half of 2023, eight motions were submitted to the court regarding the application of preliminary arrest as a preventive measure against a child, and three were granted by the court. Twenty-two children were detained and charged¹⁰⁴.

The new RA Criminal and Criminal Procedure Codes reflect more child-centered approaches. The number of children held in preliminary arrest centers has decreased, and judges, investigators, and psychologists working with delinquent children have become more specialized to some extent. However, criminal approaches, rather than social and psychological ones, continue to dominate in cases involving children.

Recommendations

- Enhance the capacities and functions of professionals in social-psychological services, justice, and law enforcement agencies. Foster collaboration among specialists in social-psychological services, healthcare, education, and justice.
- Maintain a steadfast commitment to minimizing the use of detention for minors.
- Ensure that legal representation for children in all judicial and administrative proceedings is grounded in an assessment of the child's best interests. Make legal and social-psychological assistance available to children in contact with the law.
- Provide ample guarantees for the protection of physical and mental health in prisons.

Child victims and witnesses of crimes

According to the RA Statistical Service, cases involving 219 child victims of crimes were dismissed, while only 42 cases proceeded to court with indictments. Of the 33 defendants in these court cases, 14 were family members, and three were guardians or trustees.

¹⁰⁴ https://armstat.am/file/article/sv_07_23a_540.pdf

Moreover, numerous cases of child rights violations never reach the justice system due to limited access for children, lack of awareness of their rights, inadequate tools for self-protection, and dependence on adults who may not always prioritize the child's best interests.

The RA General Prosecutor's Office reports that dozens of criminal cases against persons under the age of 14, especially regarding traffic violations, were dismissed by court decision in 2019 due to the lack of complaints submitted by the victim or their legal representative¹⁰⁵.

Access to justice for children is negatively impacted by public and cultural beliefs, a low level of trust, and an approach of hiding crimes within families. Recent research shows that violence against children is acceptable and tolerated by the public¹⁰⁶.

In working with children and witnesses affected by crime, gaps persist in legal, psychological, and socio-economic support in Armenia.

On the other hand, a free legal service (public defender service) is not mandatory for all child victims. If the parent does not apply for legal services, the child might be deprived of the right to legal assistance. Representation only by a parent or legal representative may involve risks for the child, as conflicts of interest may arise¹⁰⁷.

Children from socially disadvantaged families face challenges during criminal proceedings, particularly in reaching the court due to financial burdens. This situation disproportionately affects children with disabilities and those in remote areas, hindering their participation in proceedings and protection of procedural rights.

In practice, children often cannot apply to law enforcement without involving their parents, even in cases where the child does not want to disclose information to them, or if the offender is a parent.

The collection of statistical data about children involved in criminal cases is insufficient, with no comprehensive data on court cases involving children and the involvement of their lawyers and other professionals¹⁰⁸.

Mechanisms for ensuring justice for children in vulnerable situations, such as those subjected to sexual abuse and domestic violence, need improvement. This includes preventing re-victimization, safeguarding private life, avoiding confrontation with the accused during proceedings, and adopting a victim-centered approach.

Recommendations

¹⁰⁵ https://www.prosecutor.am/storage/dynamic_web_pages/rep_35_8503120129.pdf , page 66

¹⁰⁶ “Main needs of children affected by crime in Armenia” qualitative research. UNICEF
https://www.unicef.org/armenia/sites/unicef.org/armenia/files/2019-01/Child%20Victim%20Study_ARM_print_0.pdf

¹⁰⁷ https://drive.google.com/file/d/1FdZUB4-E2mijY8JRohnP7b_XoqrXh2zm/view?usp=sharing

¹⁰⁸ http://transmonee.org/wp-content/uploads/2018/09/A2J-CAR-report-final-draft_ENG.pdf

- Conduct ongoing professional training for psychologists, investigators, prosecutors, judges, and lawyers engaged in proceedings involving children.
- Enhance the provision of socio-psychological services for children acting as witnesses or victims throughout all stages of the investigation of criminal cases.
- Ensure the confidentiality of personal information concerning the child during public court hearings in all cases involving children.
- Establish a child-friendly reporting system for alleged crimes.
- Guarantee the provision of free legal aid for all children involved in criminal, administrative, or civil cases, irrespective of their capacity.
- Provide comprehensive statistics on children engaged in criminal or administrative cases, categorized by age, disability, other vulnerabilities, region, and affiliation with other risk groups.
- Publish statistics on crimes against children, cases adjudicated in court, their outcomes, indictments, and other judgments. Additionally, include information on legal assistance provided to children and the involvement of social workers, educators, and specialized psychologists.

FOLLOW-UP AND DISSEMINATION

The third and fourth periodic reviews, along with the Government's responses and Concluding Observations, were not translated into Armenian or made accessible to children and including those with disabilities. Furthermore, they were not distributed among stakeholders, including children.