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Chair: Ms. Pazartzis

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

Third periodic report of Armenia (CCPR/C/ARM/3; CCPR/C/ARM/Q/3; CCPR/C/ARM/RQ/3)

1. *At the invitation of the Chair, the delegation of Armenia joined the meeting.*
2. **Ms. Grigoriyan** (Armenia), introducing the third periodic report of Armenia (CCPR/C/ARM/3), said that 2020 had been a devastating year for the Armenian people. The unlawful, indiscriminate and disproportionate military attacks carried out by Azerbaijan – moreover, during the coronavirus (COVID-19) pandemic – had threatened the lives of 150,000 people in Nagorno-Karabakh/Artsakh. The problem of protecting the affected population had now become urgent; more than 91,000 people, 88 per cent of them women and children, had been forced to flee their homes and find refuge in Armenia and even under the current ceasefire a significant number could not return safely, notably those resident in territories now under the control of Azerbaijan. The Government had been obliged to review its priorities to create economic, social and psychosocial support mechanisms to provide for the mental and physical well-being of the affected population.
3. Azerbaijan had not yet returned all Armenian prisoners of war and civilian detainees, whose inhuman and degrading treatment had been documented by the non-governmental organizations (NGOs) Freedom House and Human Rights Watch. The latter had defined their treatment as a war crime.
4. The pandemic had caused significant social and economic upheavals in Armenia, prompting her Government to notify the Secretary-General of temporary derogations from articles 9, 12 and 21 of the Covenant pending the restoration of normality and the full application of the Covenant. The derogations had been lifted in early September 2020.
5. As part of efforts to offset the socioeconomic implications of the pandemic, a special allocation of more than 10 billion Armenian drams had been distributed, benefiting 8,000 persons in the agricultural sector, some 500 economic entities and around 100 small and medium-sized enterprises. In all, more than 200 billion drams had been spent on measures specifically targeting the socially vulnerable.
6. Armenia had embarked on the lengthy process of reforming legislation and government structures in accordance with the new Constitution adopted in 2015. The amended Constitution had, for the first time, established numerous fundamental rights, including the right to physical and mental integrity, the prohibition of corporal punishment, equality of rights between men and women, protection of personal data, children's rights and the principle of proportionality in sentencing. Moreover, fundamental rights had been redefined as subjective rights and the grounds on which rights could be restricted had been clarified.
7. Legislation on electoral reform had been passed, with the support of all political parties. The first step would be to improve the local electoral system by introducing proportional representation and increasing the quota of places for women to 30 per cent.
8. A second set of electoral reforms had been adopted in April 2021 following discussions with political parties and various other actors. The measures aimed to make the national electoral cycle more democratic, for example through the introduction of proportional representation, improvements to the rules of campaigning and an increase in State-funded airtime, as well as heightened transparency in campaign financing and accountability in party financing.
9. The recent parliamentary elections had been held under the new regulations and had been found by international observers to be competitive, independent and transparent. Female representation in parliament following the elections was 34 per cent.
10. In 2019 Armenia had launched far-reaching reforms to the justice system, covering the judiciary, corruption and law enforcement. An effective mechanism had been introduced to check the integrity of judges, prosecutors and investigators. In addition, a specialized,

independent body, the Corruption Prevention Commission, had been created and vested with the necessary powers and resources. Its five members were elected by parliament and had reviewed the declarations of income and interest of around 9,000 State officials and their family members. Those checks had resulted in criminal and disciplinary proceedings and administrative sanctions.

11. In order to reduce the backlog of court cases and facilitate effective access to justice, the number of judges had been increased and certain types of proceedings had been simplified, in part by the use of purely documentary procedures. A new electronic system had made it possible to resolve 11.5 per cent of civil cases entirely electronically, and the case backlog had been cut by nearly 12 per cent in one year.

12. A new criminal code and code of criminal procedure had been adopted in 2021, establishing a modern framework for criminal prosecution that complied with international obligations. Sentencing now observed the principles of restorative justice, and the main goals were the practical realization of the objectives of sentencing, overcoming the criminal subculture, creating a corruption-free culture in the prison and probation system, reducing recidivism and ensuring public safety.

13. The new Criminal Code introduced a further alternative to prison, “restricted liberty”, which, rather than isolating convicts from society and depriving them of activities such as education, simply placed certain constraints on their actions and movements. Electronic tags would enable the probation service to monitor their movements. In addition, the use of bail as an alternative measure of restraint was better regulated.

14. The statute of limitations in respect of the crime of torture had been eliminated.

15. A proper legal framework had been established to regulate arrest, the taking of statements, conducting questioning and initiating criminal proceedings; the new framework incorporated due safeguards for individual rights.

16. The new Criminal Code penalized domestic violence. The definition encompassed various types of violence, including psychological and sexual violence and forced abortion, and made commission of the offence by a close relative an aggravating circumstance.

17. It also penalized discrimination on any of the grounds set forth in the Constitution, as well as hate speech, and introduced a number of new offences such as forced abortion, forced marriage, psychological intimidation and grooming.

18. Where an offence was motivated by hatred, intolerance or hostility based on factors such as race, nationality, ethnic or social origin, or religious or political beliefs, that was deemed an aggravating circumstance.

19. The definition of rape now covered not only sexual intercourse but other violent acts of a sexual nature committed against, or disregarding, the will of the victim.

20. In order to address violence against children in residential institutions, where an offence was committed by a person responsible for the child’s education, care, or medical treatment, that was deemed an aggravating circumstance.

21. Lastly, she wished to report that in 2021 her Government had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

22. **Mr. Zyberi** said that he would be interested to know whether the Covenant or the Committee’s work had been referenced in any judgment handed down by domestic courts. Since the State party’s ratification of the Optional Protocol, in 1993, the Committee had received only three individual communications, which made him wonder whether the legal profession in Armenia was generally aware of the provisions of the Optional Protocol.

23. Noting the references in the State party’s report to the planned training on human rights protection for judicial officials and law enforcement officers, he said that he would like to know how many human rights training courses had in fact taken place and how many law

enforcement officials had attended. Had any of those courses focused specifically on the human rights protection system established by the Covenant?

24. He asked whether the draft action plan for legal and judicial reforms for 2019–2030 included measures to raise awareness of Covenant rights among judges, prosecutors, lawyers and other legal officials.

25. Turning to the question of gender equality, he said that he would appreciate information on the status of the draft law on legal equality. He would like to know in what way it further strengthened protections provided for in the 2013 law on ensuring equal rights and equal opportunities for men and women. He would be interested to know whether those laws had their own specific enforcement mechanisms, and if so, what impact they had had. He would welcome up-to-date information on the equitable representation of women in legislative and executive bodies at the national, regional and local levels, and especially in decision-making positions.

26. Given the importance of the media, he wondered whether media personnel received any training, either from media institutions or higher education institutions, in countering discriminatory stereotypes and patriarchal attitudes.

27. With regard to the problem of excessive use of force by the police, he wished to know whether the victims of the high-profile incidents at protests in 2008, 2015, 2016 and 2018 had received any redress. He wondered what work had been done to ensure that law enforcement officials received training in the use of firearms and whether the State Party intended to establish independent mechanisms to hold officials to account in incidents of excessive use of force.

28. **Mr. Santos Pais** commended the State party for its extensive efforts to combat corruption. However, according to a 2018 report by the Organisation for Economic Co-operation and Development entitled “Anti-corruption reforms in Armenia”, those efforts had had only limited impact and corruption remained a significant problem in critical areas of public administration, such as the judiciary and law enforcement. The lack of practical enforcement of anti-corruption laws, in a context of widespread conflict of interest among public officials, remained a serious concern.

29. He asked how many disciplinary proceedings had been brought against police officers in the past five years and what disciplinary penalties had been imposed. Similarly, how many criminal proceedings had been brought, how many had led to charges and what sanctions had been imposed?

30. Noting that a new anti-corruption committee was being proposed under new draft legislation as the sole body for dealing with cases of corruption, combining the functions of preliminary investigation and investigation, he said that he would like to know whether that committee was in operation, what its main tasks would be and whether it would have adequate financial and human resources. He asked whether the new committee would replace the Anti-Corruption Council, and if so, for what reason. How did the State party evaluate the work of the Council?

31. He would also like to know whether the new anti-corruption courts had been established and whether judges and public prosecutors had received training on anti-corruption issues.

32. Welcoming the entry into force of the law on the activities of a deputy of the National Assembly, he asked whether members of parliament were obliged to declare their assets, whether such declarations were publicly accessible, and which body was responsible for analysing them. He would be interested to know whether any members of parliament had been investigated for corruption issues or found to have a conflict of interest. Moreover, in the light of allegations of illegality and lack of transparency in the process of awarding permits for mining and resource exploitation, he wished to know what the status was of the Amulsar gold mine project, which some feared could have a disastrous environmental impact on the Lake Sevan water basin.

33. Armenia had made commendable progress in its efforts to combat domestic violence, sexual violence and violence against children. Nevertheless, the Committee remained

concerned that many Armenian women continued to experience physical and psychological violence at the hands of their partners. Therefore, he wished to know whether the provisions of the new Criminal Code criminalized cases of domestic violence that resulted in minor injury and whether the focus of those provisions was family reconciliation or the prevention of new acts of violence and abuse. Had the courts ordered any protective measures? He also wished to know whether the definition of rape under the amended Criminal Code covered all forms of non-consensual sexual acts or relied, as in the past, on violence, threats of violence and abuse of the victim's "helpless state" as the constituent elements of the offence. The Committee would be interested to hear the delegation's response to allegations that perpetrators of domestic violence usually received a fine and served little or no jail time, even when the victim had suffered an obvious injury. It would also like the delegation to comment on reports that law enforcement officers routinely subjected survivors to intrusive interviewing practices and to detrimental and inadequate forensic examinations, such as virginity tests and examination of the victim's sexual history, resulting in their secondary victimization. Had the State party organized any training for judges and prosecutors, or public awareness campaigns, on domestic violence? How many shelters and support centres were currently in operation and how many victims could they accommodate?

34. While persons deprived of their liberty had the right to have a person of their choice immediately notified of their deprivation of liberty, it appeared from the report that the exercise of that right might be delayed for certain reasons. He would like to know what conditions had to be met in order to delay notification, and whether decisions in that regard were taken by police officers acting alone or under the oversight of a superior officer or the public prosecutor. Lastly, he asked in which cases the presence of a defence counsel was mandatory and whether the defence counsel could be present during the initial interrogation by the police.

35. **Mr. Furuya** said that the Committee welcomed the drafting of new anti-discrimination legislation and was particularly interested to know when the draft law on legal equality was likely to be adopted and enter into force. The Committee would appreciate an explanation concerning the draft's apparent shortcomings, namely, that it neither provided a comprehensive list of prohibited grounds of discrimination – omitting those of sexual orientation and gender identity – nor prohibited discrimination by private entities. What steps was the State party taking to bring the new legislation into line with international standards?

36. The Committee had been informed that article 226 of the Criminal Code, which criminalized the incitement of national, racial or religious hatred, was rarely applied in practice and left certain hate crimes unpunished. It would be useful to know whether the initiative to amend the Code would lead to the criminalization of hate crime and hate speech on all prohibited grounds, including those of sexual orientation and gender identity.

37. Lastly, in the light of allegations that harassment, violence and discrimination against lesbian, gay, bisexual and transgender persons were still prevalent in the State party, he would be grateful if the delegation could describe the measures taken to address the problem and to comment on the reported lack of effective investigations and sufficient training for police officers in dealing with sensitive cases.

38. **Mr. Gómez Martínez** said that he wished to know how the State party identified and penalized health workers who violated article 10 of the law on reproductive health and reproductive rights of the person, which prohibited sex-selective abortions. He asked how many prosecutions had been brought against health workers for such violations, how many convictions had been obtained, and whether the State party had any figures indicating a fall in the number of sex-selective abortions as a result of the amendment of article 10. Given the troubling reports of harassment and smear campaigns directed against NGOs and human rights defenders working in the area of sexual and reproductive health and rights, he asked what steps the State party intended to take to ensure the credibility of civil society organizations and safety of human rights defenders. How many people had been investigated, prosecuted and convicted for using hate speech against women's rights defenders and harassing them in recent years? Did the State party plan to train law enforcement officers to investigate those crimes?

39. The Committee would appreciate information on any measures that the State party had taken or planned to take to address the difficulties encountered by women with disabilities in accessing reproductive health services. In that regard, it wished to know what progress the State party had made towards the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities, and when that ratification might take place. The Committee would appreciate information on policies to ensure that women – particularly those on low incomes – could access safe abortions, and information on the implementation of the recommendations of the Committee on the Elimination of Discrimination against Women to increase State budget allocations for health care and to introduce a mandatory health insurance system. How did the State party intend to ensure that women living in remote rural areas, especially Yazidi women, had sustainable and reliable access to reproductive care?

40. In the light of reports that the few existing sex education programmes took an “abstinence only” and “fear-based” approach, he asked how the State party would ensure that all schools implemented an educational programme of proven effectiveness on safe sex practices. In particular, he asked whether the State party intended to develop specific policies and programmes to educate the population on contraceptive use.

41. The Committee was interested to know more about the steps taken to prevent non-combat-related deaths in the armed forces. It would welcome information on the outcomes of proceedings instituted as a result of such deaths and on measures to investigate and eliminate hazing in the armed forces and to ensure that victims of hazing and persons injured in accidents had access to compensation and rehabilitation. In that regard, the Committee wished to know more about the State party’s response to the calls made by military personnel and civilians to the 1-28 hotline. How many investigations had subsequently been opened? Had any research been conducted, or policies formulated? How were callers protected against identification and retaliation? What were the functions of the Human Rights and Integrity Building Centre and how was its work evaluated?

42. Regarding torture and cruel, inhuman or degrading treatment or punishment, he asked how the authorities ensured that prison inmates could use the mailbox system to file complaints without fear of surveillance, intimidation or reprisals, and which agency was responsible for reviewing those complaints. He was interested to know the extent to which the State party had implemented its plan to record interrogations of suspects and thus prevent torture and ill-treatment. He wondered what measures the State party envisaged to ensure that criminal investigations under article 309 (1) of the Criminal Code were conducted promptly and transparently. Updated information on the progress of cases brought against persons charged with torture under that article, including whether any convictions had been secured, would be welcome.

43. Concerning efforts to address poor material conditions in places of detention, he asked what steps were envisaged to make places of detention accessible to persons with disabilities and to enable prisoners with disabilities to obtain relevant disability recognition documents. He asked whether the Government still planned to close old and inadequate detention facilities by the end of 2022, and, if not, when they would be closed. He would like to know whether Vanadzor prison had been earmarked for closure and replacement and what steps had been taken to improve living conditions in places of detention that were due to be closed but which remained in operation. Was the State party taking steps to ensure that prisoners received adequate medication free of charge? Had the amendments to the Criminal Code and Code of Criminal Procedure intended to combat the functioning of informal prison hierarchies been effective? What plans did the State party have for providing adequate psychological and psychiatric services for prisoners who needed them?

The meeting was suspended at 4.15 p.m. and resumed at 4.40 p.m.

44. **Ms. Grigoryan** (Armenia), said that the Government planned to organize activities, within the framework of the national human rights strategy and action plan for the period 2020–2022, to raise awareness of the Covenant and the human rights system among judges, prosecutors, police officers and other professionals. Human rights training was provided by the Centre for the Implementation of Legal Education and Rehabilitation Programmes of the Ministry of Justice and by the Academy of Justice. The Office of the Human Rights Defender

was also authorized by law to organize human rights training for its own staff and for other bodies and organizations. The delegation would submit further information on the number of courses provided, and their curricula, in writing.

45. The draft law on legal equality was the subject of broad, ongoing discussions with civil society organizations, the Office of the Human Rights Defender and other stakeholders. The Government had received two different opinions from international organizations that sought to bring the text into line with international standards. The draft law defined various types of discrimination and prohibited discrimination on the basis of a non-exhaustive list of grounds. Indeed, the recognition of a specific protected ground of gender identity was not envisaged precisely because the list of grounds set forth in the Constitution was non-exhaustive; discrimination on all grounds, including those that were not explicitly mentioned, was prohibited. All laws must be in conformity with the Constitution.

46. **Ms. Karapetyan** (Armenia) said that the Ministry of Justice organized training courses for media officers on non-discrimination on a regular basis, in cooperation with the Office of the Human Rights Defender. One such course had been held in October 2019.

47. **Ms. Kristina Hovhannisyan** (Armenia) said that the Ministry of Labour and Social Affairs had organized a training course for media workers on gender-sensitive reporting, in collaboration with the Council of Europe. During the course, the participants had received guidance on how to approach reporting on violence against women, including domestic violence. The Ministry planned to organize training of that kind annually.

48. **Ms. Grigoryan** (Armenia) said that progress had been made in ensuring the participation of women in political life at both the local and national levels. The 30 per cent quota for representation of women in parliament had been met. Women accounted for 389 out of 3,849 members of community councils and 9 out of 502 leaders of municipalities. The first female city mayor had been elected in 2018. There had been a steady increase in the number of women in decision-making positions within the national executive: although only 1 of the 12 government ministers was a woman, the number of women deputy ministers had risen to 11. Measures were also being taken to promote the participation of women in other fields where they were underrepresented, such as law enforcement. Under the police reform strategy, a quota of 30 per cent for the recruitment of women had been established, and awareness-raising campaigns would be conducted to encourage women to pursue a career in the police.

49. **Mr. Mkrtchyan** (Armenia) said that a large number of cases of alleged excessive use of force by police officers had been investigated and prosecuted. In that context, over 1,400 witnesses had been called and over 1,000 forensic examinations had been carried out. A number of senior police and military officers had been prosecuted and several convictions had been handed down. Some preliminary investigations were ongoing.

50. **Ms. Grigoryan** (Armenia) said that, in 2020, the Government had adopted a decision concerning redress in cases of excessive use of force by police officers. The decision stated that the legal successors of victims who had died in such cases should receive compensation in the amount of 30 million Armenian drams, while victims who had suffered grievous bodily harm should receive 15 million drams and victims who had suffered serious harm should receive 5 million drams. Under the police reform strategy, the content of police training, including the training provided on firearms, had been updated and brought into line with international human rights standards.

51. **Ms. Manandyan** (Armenia) said that the use of force by police officers was regulated by the law on the police, which established the principles of necessity and proportionality. There were detailed regulations on the procedure for reporting incidents in which force had been used. If there was any suspicion that an officer's use of force had been disproportionate, an internal investigation was opened by the Internal Security Department of the police force. Police officers received intensive training on the use of special means and weapons on a regular basis. The training provided to the 700 members of the new patrol service had included more than 40 hours of training on the use of force, special means and weapons. The law on the police had been amended in 2020 to include provisions on the video recording of police interrogations, the storage of such recordings and the procedure whereby they could be shared with monitoring bodies such as the Office of the Human Rights Defender. Those

provisions had been supplemented by two orders issued by the Head of Police. Since 1 May 2020, video recording systems had been fully operational in 10 police stations. According to the law on the police, all police stations should be equipped with such a system within the next three years.

52. **Ms. Grigoryan** (Armenia) said that the current anti-corruption strategy covered the period from 2019 to 2022. Under that strategy, a new independent body, the Corruption Prevention Commission, had been established in 2019 to replace the Anti-Corruption Council. The Commission had all the necessary human and financial resources, its members had been elected by parliament and its powers were clearly defined by law. In the area of law enforcement, the specialized Anti-Corruption Committee had recently been established. The head of the Committee had been selected through an open and transparent process that had involved international observers. The Committee would be supported by a team of 30 investigators, all of whom would undergo background checks and specialized training. The recently adopted law on the establishment of a specialized anti-corruption court had been examined by the Constitutional Court at the request of the President and had been found to be constitutional. The members of the court would be selected from among the judges who had completed the relevant training programme at the Academy of Justice. The court should be operational by 2022. There were also plans to establish a special anti-corruption department within the Office of the Prosecutor General.

53. The Ministry of Justice, in cooperation with various stakeholders, had undertaken significant reforms in the sphere of beneficial ownership transparency, with an initial focus on the mining sector. Failure to declare a beneficial owner had been established as a criminal offence. Other measures taken included clarifying the definition of beneficial ownership, introducing a requirement for due diligence and record-keeping by companies, enhancing verification mechanisms and establishing dissuasive sanctions. All mining sector companies were in the process of making beneficial ownership declarations. The information submitted was publicly available on the website of the Ministry of Justice.

54. **Mr. Mkrtchyan** (Armenia) said that a criminal investigation into the allegations of corruption concerning the Amulsar gold mine had been opened in July 2018 and was still under way. The investigation was partly focused on allegations of corruption relating to the environmental impact assessment that had served as the basis for issuing a mining licence to the company concerned.

55. **Ms. Manandyan** (Armenia) said that a specialized police department had been set up to deal with the prevention of domestic violence and juvenile crime. The officers in that department had taken part in a series of discussions with representatives of government agencies, international organizations and other relevant stakeholders and had attended training courses led by international experts and psychologists. Manuals and guidelines had been prepared for those officers, in cooperation with entities such as the United Nations Development Programme and local NGOs that ran shelters for victims of domestic violence. Further measures that were being taken to combat domestic violence more effectively included the development of a mobile application that would enable the police to respond immediately to reports of domestic violence. Over the last few years, there had been no cases of police officers pressuring victims of violence against women to withdraw their complaints.

56. **Ms. Yengoyan** (Armenia) said that the definition of physical violence contained in the law on domestic violence referred back to provisions of the Criminal Code on related offences such as beating, which was considered to have been committed even if it did not result in harm to health. Moreover, minor harm to health was considered a form of domestic violence. Nevertheless, the new Criminal Code expanded the scope of physical violence to include the application of physical pressure and contained a broader definition of non-consensual sexual acts, as well as provisions on consent that meant that the absence of signs of violence did not imply that rape had not been committed. The new Code of Criminal Procedure had introduced the video recording of victim statements; previous such provisions had applied only to minors and to certain offences. A psychologist was required to be present for the questioning of minors and, under the new Criminal Code, law enforcement agencies would have to assess the psychological aspect of offences.

57. **Mr. Mkrtchyan** (Armenia) said that, between 2018 and 2020, over 1,000 criminal cases had been opened in connection with incidents of domestic violence, of which 220 had led to an indictment. The Code of Criminal Procedure had been amended to empower prosecutors to initiate criminal proceedings following a complaint of domestic violence even if the victim did not wish to press charges, in particular when the victim was vulnerable or dependent on the alleged perpetrator. A criminal prosecution should not be terminated in the event of reconciliation between the victim and the accused. In 2020, disciplinary proceedings had been initiated against a prosecutor who had failed to properly oversee the lawfulness of the investigation and to launch criminal proceedings in a case of domestic violence in which the victim was vulnerable, and had closed the case when the victim had informed the authorities that she had reconciled with her husband.

58. **Ms. Karapetyan** (Armenia) said that a campaign entitled “Violence in silence”, consisting of public service announcements broadcast on television, had been run in 2020–2021 to raise awareness of domestic violence and the support available to victims. The campaign had also featured a mock domestic incident at a café and a doorbell that played sounds of domestic violence, the aim being to put a spotlight on the public’s reaction when confronted with such situations. The campaign had been very successful, reaching more than 3 million people.

59. **Ms. Kristina Hovhannisyan** (Armenia) said that support centres for victims of domestic violence, co-funded by the State, had been opened throughout the country since 2020. The centres operated a helpline where victims of violence and people at risk of violence could receive psychosocial and legal support. The Government had also introduced a lump-sum financial assistance programme to support victims of domestic violence. Since the inception of the programme, 65 individuals had received payments of up to 150,000 Armenian drams.

60. **Mr. Mkrtchyan** (Armenia) said that once detained persons had been shown their record of apprehension, they had an irrevocable right to inform a person of their choice of their detention. Furthermore, detained persons had the right to refuse to take part in any procedure where their defence counsel was not present.

61. **Ms. Grigoryan** (Armenia) said that discussions were under way with the Human Rights Defender, civil society organizations and specialized international bodies on how to enhance the protections established in the draft law on legal equality and to extend them not only to public servants but also to private sector workers. Thought was also being given to adding a stand-alone clause on hate speech to the draft.

62. **Ms. Yengoyan** (Armenia) said that the new Criminal Code established the offence of public incitement to violence and expanded the definition of hate speech to include public statements aimed at provoking or promoting hatred, discrimination, intolerance or hostility towards a person or group on grounds of race, nationality, ethnic or social origin, religion, political or other views or other circumstances of a personal or social nature. While the list of prohibited grounds for discrimination was not exhaustive, sexual orientation and gender identity came under the category of circumstances of a personal or social nature and were, therefore, covered. Hate crimes were not a distinct offence under criminal law, but the motive of hate was an aggravating circumstance of many offences, including physical, sexual and psychological violence, and should be taken into account during sentencing.

63. **Mr. Mkrtchyan** (Armenia) said that since the introduction of article 226 (2) of the Criminal Code, criminal proceedings had been opened in 35 cases related to incitement to violence; 6 cases had reached the indictment phase and 1 had ended in a guilty verdict. Concerning the lack of effective investigations into cases of violence against lesbian, gay, bisexual or transgender persons, he wished to draw attention to an incident in 2020 involving a member of that community and other individuals. In that case, the investigation had looked into whether the victim’s sexual orientation had been a motivating factor in the incident, but no such evidence had been found.

64. **Ms. Mkrtumyan** (Armenia) said that the Code on Administrative Offences established penalties for health-care professionals involved in sex-selective abortions. Other measures taken to prevent sex-selective abortions included setting the limit for termination at 12 weeks of pregnancy, providing counselling seminars to gynaecologists and

sonographers, working with NGOs to ensure that girls were valued, and collaborating with community, national and international organizations to raise awareness about the issue, including via social media. To enhance the safety of abortions, medicalized abortion services had been made available at all inpatient medical facilities and curettage had been replaced with vacuum aspiration; as a result, there had been no deaths or severe complications from abortion for several years. Abortion services were free for certain social groups and in cases of medical necessity; in other situations, the fees were low. A comprehensive health insurance scheme would be introduced in 2023 and would cover all necessary services. From 2016 to 2019, thanks to the United Nations Population Fund, modern contraceptives had been provided free of charge, including to women living in rural areas, socially vulnerable women and persons with disabilities. From 2016 to 2020, efforts had been made to renovate and equip 18 medical facilities with a view to improving access to good quality services, including prenatal and obstetric care, especially in rural areas. Sex education had been part of the healthy lifestyle classes provided in schools since 2008.

65. **Ms. Kristina Hovhannisyan** (Armenia) said that new laws on the rights of people with disabilities and the assessment of function had been adopted in 2021, paving the way for the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities in 2022.

66. **Ms. Esayan** (Armenia) said that the Human Rights and Integrity Building Centre was an internal oversight mechanism under the direct supervision of the Minister of Defence and was operationally independent of the military hierarchy. A Ministry of Defence helpline had been set up in 2017 to receive complaints of human rights violations and had proven to be an effective preventive tool. Every non-combat death of a service member was investigated internally. Military personnel underwent a psychological assessment, and those who exhibited negative behaviour were registered with the military police and provided with support.

67. **Mr. Mkrtchyan** (Armenia) said that there had been about 100 non-combat deaths between 2020 and the end of September 2021, all of which had been effectively investigated by the domestic authorities. In that connection, the Prosecutor General had issued a decree in April 2021 containing guidelines on the investigation of deaths in the armed forces and in places of detention based on the case law of the European Court of Human Rights and the Minnesota Protocol on the Investigation of Potentially Unlawful Death. The guidelines also provided for the involvement of the victim's family.

68. **Ms. Grigoryan** (Armenia) said that no perpetrators of torture had been granted amnesty.

69. **Ms. Karapetyan** (Armenia) said that there was no statute of limitation in respect of acts of torture. Prisoner complaints lodged via the mailbox system were not opened prior to being conveyed to the addressee. Since the adoption of a new definition of torture in 2015, four prison officials had been convicted of that offence. Pursuant to an order of the Ministry of Justice of January 2020, inmates' medical records were to be kept in line with international standards and prison directors were required to send an inmate's records in a sealed envelope to the Office of the Prosecutor General within 24 hours of the inmate's death in custody.

The meeting rose at 6 p.m.