



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Armenia\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Armenia<sup>1</sup> at its 2818th and 2819th meetings,<sup>2</sup> held on 4 and 5 September 2024, and adopted the present concluding observations at its 2846th meeting, held on 13 September 2024.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the constitutional amendments in 2015 providing for children's right to be heard and amendments in 2022 to the Criminal Code and the Criminal Procedure Code strengthening the safeguards for the protection of children. It notes with appreciation the ratification in 2021 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: children deprived of a family environment (para. 27); children with disabilities (para. 30); standard of living (para. 35); aims and coverage of education (para. 38); and economic exploitation, including child labour (para. 43).

5. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the**

\* Adopted by the Committee at its ninety-seventh session (26 August–13 September 2024).

<sup>1</sup> [CRC/C/ARM/5-6](#).

<sup>2</sup> See [CRC/C/SR.2818](#) and SR.2819.

<sup>3</sup> [CRC/C/ARM/RQ/5-6](#).



involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 1, 4, 42 and 44 (6))**

### **Legislation**

6. While noting that the draft law on the rights of the child and the system of protection of the child, with a package of related laws aimed at improving child protection and social assistance, is under consideration, the Committee recommends that the State party:

(a) Accelerate the consideration and adoption of this draft law and the related legislation;

(b) Ensure that the said legislation is in full conformity with the Convention and is rolled out with sufficient human, technical and financial resources and mechanisms for its effective implementation;

(c) In the meantime, strengthen the implementation of the existing Law on the Rights of the Child.

### **Comprehensive policy and strategy**

7. The Committee notes the State party's information that the new Complex Programme for the Protection of the Rights of the Child for 2024–2029 has been developed. In this regard, the Committee recommends that the State party ensure that the programme is based on the assessment of the implementation of the National Strategic Programme on Protection of Child Rights for 2017–2021 and encompasses all areas covered by the Convention and the Optional Protocols thereto. The Committee also recommends that the State party ensure that the programme is supported by sufficient human, technical and financial resources.

### **Coordination**

8. The Committee recommends that the State party strengthen the National Commission for the Protection of Child Rights at the national level and the professional bodies responsible for coordination at the regional and local levels, by providing them with appropriate mandates and adequate human, technical and financial resources in order to ensure effective coordination and cooperation among government institutions for the implementation of the Convention and the Optional Protocols thereto.

### **Allocation of resources**

9. While noting the information provided by the State party on the increase and allocation of resources in some areas of healthcare, education and social protection, and recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) Conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources as a proportion of gross domestic product, in accordance with article 4 of the Convention, and, in particular, increase the budget allocated to social sectors and address disparities on the basis of indicators related to children's rights;

(b) Adopt a child rights-based approach in the elaboration of the State budget, by implementing a tracking system for the allocation and the use of resources for children throughout the budget. The State party should also use this data-driven

tracking system for impact assessments on how investments in any sector may serve the best interests of the child;

(c) Define budgetary lines for all children, with special attention to those in disadvantaged or specific vulnerable situations that may require affirmative social measures, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies.

#### Data collection

10. While noting the limited data available covering all areas under the Convention, and recalling its general comment No. 5 (2003) on general measures of implementation, the Committee recommends that the State party:

(a) Establish a comprehensive data-collection system that disaggregates data by age, sex, disability, nationality, ethnic origin and migration status and other categories, which covers all areas under the Convention and the Optional Protocols thereto, including by strengthening the “Manuk” information and analysis system for data on children;

(b) Ensure that statistical data and indicators on children’s rights are shared among the ministries concerned and are the foundation for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention and the Optional Protocols thereto.

#### Access to justice and remedies

11. While welcoming article 212 of the Criminal Procedure Code of 2022, which introduced, inter alia, specific procedures to investigate acts involving children, mandating the involvement of a psychologist to safeguard their best interests, the Committee recommends that the State party:

(a) Ensure that all children have access to confidential, child-friendly and independent complaint mechanisms in schools, foster care systems, alternative care settings and detention for reporting all forms of violence, abuse, discrimination and other violations of their rights;

(b) Ensure access to legal support, and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation, in particular for children below the age of 14 years;

(c) Raise awareness among children of their right to file a complaint under existing mechanisms;

(d) Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children’s rights and the Convention.

#### Independent monitoring

12. The Committee recommends that the State party further strengthen the Human Rights Defender’s Office, in particular its Child Protection Unit, and ensure that it is supported with sufficient human, technical and financial resources so as to enable effective and independent discharge of its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

#### Cooperation with civil society

13. The Committee recommends that the State party systematically and proactively involve civil society, including non-governmental organizations and children’s organizations, in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children’s rights and that it establish mechanisms for their participation. The Committee also recommends that the State party strengthen measures to ensure full independence of civil society organizations, including those

working on children's rights, so they may deploy their activities and communicate without self-censorship.

#### **Children's rights and the business sector**

14. While noting that section 7 of the Criminal Code of 2021 introduces the concept of criminal liability for legal entities, and recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, as well as the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State party establish, promote and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights. In particular, it recommends that the State party:

(a) Ensure effective implementation by companies, especially industrial companies, of international and national environmental and health standards, effective monitoring of the implementation of those standards, and appropriate sanctioning, and provide remedies when violations occur;

(b) Require companies to undertake assessments, consultations, and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and of their plans to address such impacts.

### **B. General principles (arts. 2, 3, 6 and 12)**

#### **Non-discrimination**

15. While welcoming the decrease in sex-selective abortions as a result of measures taken by the State party, the Committee recommends that the State party adopt a comprehensive anti-discrimination law that covers all elements enshrined in article 2 of the Convention and take further measures to address discrimination against girls, children with disabilities, refugee children, children who belong to ethnic and religious minority groups and lesbian, gay, bisexual and transgender children.

#### **Best interests of the child**

16. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Implement article 37 of the Constitution, its Family Code and other laws providing for the right of children to have their best interests taken as a primary consideration and ensure that it is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to, and have an impact on, children;

(b) Develop procedures and criteria to provide guidance to all relevant professionals working with and for children for determining the best interests of the child in every area as a primary consideration.

#### **Respect for the views of the child**

17. The Committee notes that the draft law on making amendments and additions to the Family Code of Armenia has been prepared and includes provisions concerning the right of children to be heard. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Take measures to adopt the draft law and to ensure the effective implementation of the legislation recognizing the right of the child to be heard, including the constitutional amendments of 2015 and the laws that provide for

children's right to be heard, including for medical interventions for children below the age of 16;

(b) Promote the meaningful and empowered participation of all children within the family, communities and schools, by ensuring the effectiveness of student councils, and include children in decision-making in all matters related to them;

(c) Further strengthen the Children's Parliament as a regular event and ensure that it is provided with a meaningful mandate and adequate human, technical and financial resources, in order to facilitate children's effective engagement with national legislative processes on issues that affect them.

## **C. Civil and political rights (arts. 7, 8 and 13–17)**

### **Freedom of association and peaceful assembly**

18. While concerned about the reports of violent dispersing of protests linked to Nagorno-Karabakh, the Committee recommends that the State party guarantee children's right to freedom of assembly and association and ensure that those involved in protests are not subjected to excessive use of force by the law enforcement authorities.

### **Access to appropriate information and right to privacy**

19. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:

(a) Ensure children's right to access information from a variety of sources, including online sources, and adequately protect children from harmful content and materials and online risks, and provide for mechanisms to prosecute violations;

(b) Enhance the digital literacy and skills of children, teachers and families to protect children from information and material that are harmful to their well-being.

(c) Develop regulations and safeguarding policies for the media and in the digital environment to protect children's rights.

## **D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)**

### **Abuse, neglect, sexual abuse and exploitation**

20. The Committee welcomes the amendments to the Criminal Code, of 2022, which criminalized grooming and which made the interviewing of children by specialized psychologists and videorecording for courts mandatory. It also welcomes the establishment of the "Safe Corner", which offers multidisciplinary and inter-agency protection to child victims of violence. However, in the light of the information that a significant number of victims of sexual abuse are children and with reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:

(a) Formulate a comprehensive strategy for preventing and combating child abuse and sexual abuse and exploitation;

(b) Strengthen the national database on all cases of domestic violence against or involving children, and undertake a comprehensive assessment of the extent, causes and nature of such violence, and ensure that legislation aimed at protection from domestic violence provides for sufficient psychosocial support for children and sanctions, including penalties, commensurate with the gravity of the crime, and takes into account the best interests of children;

(c) Put into place accessible, confidential and child-friendly mechanisms for children to report violence;

(d) Strengthen the child protection system and expand the Safe Corner or *Barnahus*-type facilities to the entire country, with a sufficient budget, by ensuring multidisciplinary child-and gender-friendly investigations which avoid repetitive interviews and retraumatization of the child in cross-examination and which strengthen trauma-focused therapy and other support services for children who are victims of violence, in particular victims of sexual violence;

(e) Ensure that audiovisually recorded interviews are accepted as evidence in court proceedings and ensure that cross-examination, if needed, can take place without delay at the pretrial stage with a view to avoiding any need for a child to give further testimonies;

(f) Train professionals working with and for children who are victims or witnesses of violence, and facilitate and promote the mandatory reporting of violence against children by such professionals;

(g) Ensure that all cases of abuse of children, including sexual abuse, are promptly reported and investigated, that perpetrators are prosecuted and duly sanctioned, and that reparations are provided to victims as appropriate;

(h) Conduct awareness-raising activities to combat stigmatization of victims of sexual exploitation and abuse, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;

(i) Implement the measures necessary to enhance awareness of child sexual abuse and exploitation online both among members of the public, especially children, and among professionals working with and for children, and respond to all manifestations of child sexual exploitation and abuse online, including by strengthening the professional capacity and the software tools to detect and investigate such abuse.

#### **Corporal punishment**

21. While noting with concern the reports that physical punishment of children by parents and older members of the family remains commonplace and recalling its general comment No. 8 (2006) on corporal punishment, the Committee recommends that the State party:

(a) Explicitly prohibit corporal punishment in law in all settings, including in the home, childcare institutions, some alternative care settings and day care;

(b) Promote positive, non-violent and participatory forms of child-rearing and discipline;

(c) Conduct awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change, within the family and the community, with regard to corporal punishment.

#### **Harmful practices**

22. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and taking note of target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt a strategy to ensure compliance with the new amendments to the Family Code, which removed exceptions to the age of marriage, and take measures to eradicate the practice of child marriage in the Yazidi community;

(b) Develop awareness-raising campaigns and programmes on the harmful effects of child marriages on the physical and mental health and well-being of girls, targeting households, especially among the Yazidi community, local authorities, religious leaders, and judges and prosecutors;

(c) Secure the official registration of all marriages;

(d) Establish stringent protection schemes for victims of child marriage who file a complaint.

#### **Torture and other cruel, inhuman or degrading treatment or punishment**

23. Seriously concerned about the reports in 2023 indicating that children detained by the police were subjected to beatings and torture, and that their right to legal aid was impeded, the Committee urges the State party to put in place stronger safeguards and oversight mechanisms to protect the rights of detained children and to ensure that such violations are reported and investigated and that the perpetrators are prosecuted and punished.

#### **Optional Protocol on the sale of children, child prostitution and child pornography**

24. Noting the reports of alleged sale of children in the context of adoptions, and recalling its 2019 guidelines on the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography<sup>4</sup> and its previous concluding observations on the report of the State party submitted under article 12 of the Optional Protocol,<sup>5</sup> the Committee recommends that the State party:

(a) Further strengthen its efforts to establish effective mechanisms to identify, detect and monitor children in vulnerable situations who are at risk of becoming victims of the offences under the Optional Protocol;

(b) Establish legal and procedural safeguards to pre-empt sale of children in the context of both domestic and international adoptions, including by preventing the acts of improperly inducing consent, as an intermediary, for the adoption of a child;

(c) Ensure that the Criminal Code includes definitions of all crimes provided in article 2 of the Optional Protocol.

### **E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

#### **Family environment**

25. While welcoming the “Organizing Reunification with Their Families” programme, which focuses on reintegrating children into their families, and drawing the State party’s attention to its statements under article 5 of the Convention,<sup>6</sup> the Committee recommends that the State party further strengthen efforts to provide for the rights of children to a family environment and to strengthen its social protection services in order to enhance support and assistance for keeping families together. The Committee also recommends that the State party consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and the Protocol on the Law Applicable to Maintenance Obligations.

#### **Children deprived of a family environment**

26. The Committee welcomes the new 2024 foster care development programme and the 2020 memorandum of understanding between the Ministry of Labour and Social Affairs and the Child Protection Centre to raise public awareness about foster care. However, the Committee remains concerned that despite the efforts of the State party, the challenges persist, especially with regard to reports that:

(a) Hundreds of children, in particular children with disabilities, continue to reside in State-run institutions and special schools;

<sup>4</sup> CRC/C/156.

<sup>5</sup> CRC/C/OPSC/ARM/CO/1.

<sup>6</sup> See <https://www.ohchr.org/sites/default/files/documents/hrbodies/crc/statements/CRC-Article-5-statement.pdf>.

(b) There is a lack of mechanisms for matching, placement, and the monitoring of foster parents and children placed in foster care, as well as of mechanisms for periodic review and subsequent reunification with biological parents;

(c) There is a lack of clear roles and responsibilities and insufficient training of professionals providing services to children placed in foster care and a lack of guidelines to evaluate services provided therein;

(d) There is insufficient support for independent living for children leaving care, including as regards access to housing.

**27. Drawing the State party's attention to the Guidelines for the Alternative Care of Children,<sup>7</sup> the Committee urges that the State party:**

(a) **Take measures to further strengthen specialized community-based child and family support services for children with disabilities to reduce their institutionalization;**

(b) **Phase out institutionalization, in particular of children with disabilities, and adopt, without delay, a strategy and action plan for deinstitutionalization, ensuring that it has adequate human, technical and financial resources for its implementation and includes systemic transformation of the childcare, welfare and protection systems;**

(c) **Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care and adoption, regularly reviewing placement measures, and facilitating the reunification of children with their families when possible;**

(d) **Ensure adequate safeguards and clear criteria, based on the needs as well as the best interests of the child, for determining whether a child should be placed in alternative care;**

(e) **Strengthen the capacity of professionals working with families and children, in particular judges, law enforcement personnel, and service providers, to ensure family-based alternative care responses and to enhance their awareness of the rights and needs of children deprived of a family environment;**

(f) **Provide support for children leaving care, including access to housing, in order to support their independent living.**

#### **Adoption**

**28. While noting that the draft law on making amendments and additions to the Family Code of Armenia includes provisions concerning domestic and international adoptions, the Committee recommends that the State party:**

(a) **Establish a centralized system for review of the adoption process, and establish clear criteria and procedures for the selection of adoptive parents and a system for monitoring each step of the adoption process by an independent body;**

(b) **Ensure that the best interests of the child are the paramount consideration in the adoption procedures for children of all ages;**

(c) **Ensure that the right of adoptive children to know their biological parents is guaranteed.**

### **F. Children with disabilities (art. 23)**

29. The Committee welcomes the 2021 law "On the Rights of Persons with Disabilities" and the 2023–2027 Programme for Social Inclusion of Persons with Disabilities, but remains concerned that:

<sup>7</sup> General Assembly resolution 64/142, annex.



(a) Despite some positive trends, children with disabilities continue to face difficulties in accessing services and to be stigmatized by society;

(b) There is a persistent use of terminology and administrative data that are based on the medical model of disability;

(c) Early identification and intervention remain a challenge due to discriminatory attitudes and the lack of professional staff, especially in the regions, and the lack of specialized training and knowledge among primary caregivers.

**30. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities, and:**

**(a) Harmonize national legislation, policies and regulations with the human rights model of disability;**

**(b) Develop an efficient and harmonized system for disability assessment in order to facilitate access for children with all types of disabilities to accessible services, including to education and healthcare, social protection and support services;**

**(c) Take immediate measures to ensure that children with disabilities have access to early detection and intervention programmes;**

**(d) Provide home-based professional support and the necessary modifications to home infrastructures in order to enable children with disabilities to live with their families;**

**(e) Undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of, and prejudice against, children with disabilities and promote a positive image of children with disabilities as rights holders.**

## **G. Health (arts. 6, 24 and 33)**

### **Health and health services**

**31. The Committee notes that the State party is preparing for the phased introduction of the Comprehensive Health Insurance system, in 2024–2027, including the draft law on comprehensive health insurance, as well as initiatives promoting healthy nutrition, through the action plan aimed at fostering a healthy lifestyle. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party strengthen its efforts:**

**(a) To further mitigate neonatal mortality, by providing equitable access to healthcare for newborns, especially premature infants, low birth weight infants and those with severe complications or disabilities, during the neonatal period, especially in rural areas;**

**(b) To reduce out-of-pocket expenditure for healthcare services by implementing the comprehensive health insurance system across the country to guarantee access to affordable healthcare for all segments of the population, including in rural areas;**

**(c) To strengthen efforts to reduce malnutrition and obesity among children;**

**(d) To strengthen preventive measures, including awareness-raising on nutrition issues and proper feeding practices, and support for breastfeeding mothers.**

### **Mental health**

**32. The Committee welcomes the efforts made by the State party, including the initiation of the project entitled “Inclusion of forcibly displaced children from**

Nagorno-Karabakh in the educational process by enhancing their psychosocial resilience” by the Psychological-Pedagogical Centre and “Building the Capacities of Psychosocial Services in Schools”. In this regard, the Committee recommends that the State party:

- (a) Continue addressing mental health challenges among children, especially children from Nagorno-Karabakh, by increasing the availability and quality of psychological and psychiatric services, including post-traumatic therapies close to homes;
- (b) Strengthen its awareness-raising activities to prevent drug and alcohol abuse by children and develop specialized and youth-friendly drug-dependence treatment and harm reduction services for children and young people.

#### **Adolescent health**

33. While welcoming the information that sexual and reproductive health education is part of the mandatory curriculum and recalling its general comment No. 4 (2003) on adolescent health and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

- (a) Adopt a comprehensive sexual and reproductive health policy targeting adolescents, with special attention to preventing early pregnancy and sexually transmitted infections;
- (b) Ensure that all adolescents, including those who are out of school and those in rural areas, receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives and safe abortion.

### **H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))**

34. The Committee notes that the State party has a social protection system, comprised of contributory and non-contributory transfers and services, as well as labour market programmes. Nevertheless, the Committee remains concerned about the reports that:

- (a) The social protection system only covers a modest share of the population of children and is perceived as a mechanism for alleviating poverty, rather than prevention of poverty;
- (b) The Childbirth Lump Sum and Childcare Allowance, while effective for addressing extreme poverty, has a limited impact on lifting families out of poverty;
- (c) There is limited training and on-the-job support for social workers.

35. **The Committee recommends that the State party:**

- (a) Accelerate approval of the new social protection strategy and provide adequate funding to implement all its provisions;
- (b) Prioritize a cohesive and comprehensive approach to social protection to ensure the graduation of families from social support to self-sufficiency, ensuring a child-centred approach;
- (c) Ensure access to needs-based services, especially in the regions, through expansion and diversification of social services;
- (d) Strengthen the training and on-the-job support for social work professionals and consider holding targeted consultations with families, children and children’s rights civil society organizations on the issue of child poverty;
- (e) Seek technical cooperation from the United Nations Children’s Fund (UNICEF) and the United Nations Development Programme (UNDP), among other entities.

## **I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

36. While noting that the State party signed the Intergovernmental Declaration on Children, Youth and Climate Action, and recalling its general comment No. 26 (2023) on children's rights and the environment with a special focus on climate change and taking note of the environmental protection legislation of the State party, the Committee recommends that the State party:

(a) Take necessary measures to adapt to climate change and to protect the environment, and address environmental desertification, land degradation and air pollution, taking into account their effects on the most affected and marginalized children;

(b) Ensure that child rights impact assessments are conducted to inform the process of development and implementation of policies and programmes to address climate change and disaster risk management, and that children are properly consulted in both the assessment and policy development;

(c) Collect disaggregated data identifying the types of risk faced by children to the occurrence of a variety of disasters, in order to elaborate international, regional and national policies, frameworks and agreements, and update the nationally determined contribution of Armenia under the Paris Agreement on climate change accordingly;

(d) Increase children's awareness of and preparedness for climate change and natural disasters by incorporating these into the school curriculum and teachers' training programmes;

(e) Seek bilateral, multilateral, regional and international cooperation in implementing these recommendations.

## **J. Education, leisure and cultural activities (arts. 28–31)**

### **Aims and coverage of education**

37. The Committee welcomes the Government's decision of 11 February 2021 on establishing the procedure for the identification and referral of children who have dropped out of compulsory education, and the 2022 State Programme for the Development of Education until 2030. Nevertheless, the Committee remains seriously concerned about:

(a) The deteriorating levels of school enrolment and attendance, especially in upper secondary education, particularly of children from Nagorno-Karabakh, and the reduced learning outcomes, such as the lack of a minimum level of proficiency in reading, faced by some children at the end of primary school;

(b) Persistent obstacles to the inclusive education of children with disabilities in mainstream schools, due to the inaccessible physical infrastructure, lack of transportation, and the insufficient provision of assistive devices and other forms of reasonable accommodation and support;

(c) The poor quality of education, due to the shortage of qualified teachers and insufficient teacher training;

(d) The poor school infrastructure, with limited access to heating, safe water and sanitation, especially in rural areas;

(e) Bullying and peer violence in schools and the absence of mechanisms to address such cases;

(f) The shortage of preschool educational establishments in rural areas, especially for children with multiple disabilities.

38. **The Committee urges the State party:**

- (a) To ensure that all girls and boys complete equitable and quality primary and secondary education leading to relevant and effective learning outcomes, including achieving the required proficiency at the different levels of education;
- (b) To ensure that all children with disabilities have access to inclusive education in mainstream schools, ensuring that schools are equipped with trained teachers, accessible infrastructure, and teaching materials that are adapted to the needs of children with disabilities;
- (c) To take the necessary measures to improve the quality of education, and provide quality training for teachers, establishing strict qualification requirements for those working as teachers and ensuring the implementation of the new curriculum in all schools;
- (d) To invest in infrastructure, including regular maintenance, to enhance the overall educational environment, especially in rural areas;
- (e) To establish mechanisms to address and prevent bullying and peer violence in schools;
- (f) To allocate sufficient financial resources for the development and expansion of early childhood education, based on a comprehensive and holistic policy of early childhood care and development;
- (g) To ensure continued annual increase of public expenditure on primary and secondary education;
- (h) To ensure that human rights education and the principles of the Convention are integrated into the mandatory school curriculum in primary, secondary, higher education and vocational training, and in the training of teachers and education professionals, and to develop human rights education materials that foster respect for and appreciation for diversity.

#### **Rest, play, leisure, recreation and cultural and artistic activities**

39. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party strengthen its efforts to guarantee the right of children, especially children with disabilities, to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources.

### **K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)**

#### **Asylum-seeking, refugee and migrant children**

40. The Committee welcomes the amendments made in 2015 to the Law on Refugees and Asylum and the amendments made in 2022 to the Criminal Code and the Criminal Procedure Code, which strengthened protection for asylum-seekers and refugees in the context of criminal prosecution for illegal entry and the use of forged documents. While noting the reports of insufficient access to adequate housing, healthcare, education and other basic services for refugees and the high level of poverty among asylum-seekers, refugees and internally displaced persons, the Committee recalls joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, and its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin, and recommends that the State party:

- (a) **Strengthen efforts to provide refugees, asylum-seekers and internally displaced children with adequate housing, healthcare, education and other basic services;**
- (b) **Further strengthen safeguards for accessing State-funded legal aid at all stages of the asylum and statelessness determination procedure, specifically for unaccompanied and separated children;**
- (c) **Enhance the efficiency of the procedures for engaging representatives and guardians for unaccompanied and separated children seeking asylum, and strengthen capacities of representatives;**
- (d) **Ensure that children are never detained for immigration-related reasons and expand the availability and use of non-custodial solutions for the whole family in the immigration context;**
- (e) **Further align reception conditions and asylum procedures to make them more child-friendly and to better reflect the best interests of the child and their right to be heard, including through clear protocols, referral pathways, and continuous capacity development for timely identification and response for asylum-seeking and refugee children at risk.**

#### **Children belonging to minority groups**

41. **The Committee recommends that the State party accelerate the adoption of the 2019 draft law on national minorities and that it provide national minorities, including Yazidi, Kurdish and Molokan children, with opportunities to study their mother tongue, including in preschool establishments, to the extent possible, and to study their culture and history.**

#### **Economic exploitation, including child labour**

42. The Committee remains concerned about the reports that:

- (a) Significant numbers of children, including some below the age of 14, are engaged in work in agriculture or construction, and that increasing numbers of children are engaged in begging;
- (b) Measures taken by the State party to prevent child labour, especially among children in disadvantaged situations in rural areas and children of seasonal workers, and to enforce its laws prohibiting child labour and the involvement of children in hazardous work, are insufficient;
- (c) Data on economic exploitation of children, including child labour, are limited.

43. **Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Ensure effective implementation of existing laws, prohibiting economic exploitation of children, including child labour, by strengthening labour inspectorates and establishing child labour reporting mechanisms;**
- (b) **Strengthen its efforts to ensure that no child engages in hazardous work, and raise public awareness of child labour, its exploitative character and its consequences;**
- (c) **Organize a comprehensive data collection on child labour, and strengthen measures to prevent child labour, targeting children at risk such as disadvantaged and marginalized children in remote and rural areas, children belonging to minority groups and children of seasonal migrant workers;**
- (d) **Seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Organization in this regard.**

**Administration of child justice**

44. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:

(a) Implement the new Criminal Procedure Code, of 2021, which provides certain legal safeguards for children who have infringed the criminal law, including non-custodial sentences;

(b) Expeditiously establish specialized child court facilities and procedures with adequate human, technical and financial resources, designate specialized judges for children and ensure that such specialized judges and other professionals working with children in contact with the law receive appropriate training;

(c) Further promote non-judicial measures, such as diversion and mediation, for children alleged as, accused of or recognized as having infringed the criminal law, and the use of non-custodial sentences for children, such as probation or community service, and ensure that healthcare and psychosocial services are provided to such children;

(d) Ensure that detention is used as a measure of last resort and for the shortest appropriate period of time and is reviewed on a regular basis with a view to its withdrawal;

(e) For the few situations where deprivation of liberty is justified as a measure of last resort, ensure that the children are not detained together with adults and that the detention conditions are compliant with international standards, including with regard to access to education and health services.

**Children in armed conflict, including the implementation of the Optional Protocol on the involvement of children in armed conflict**

45. Noting that the Criminal Code of 2022 establishes legal consequences for the conscription or recruitment of children into military service or their involvement in active military operations, and recalling its previous concluding observations on the report of the State party submitted under article 8 of the Optional Protocol,<sup>8</sup> the Committee recommends that the State party:

(a) Eliminate any military-like training from the curriculum of general schools, beyond imparting knowledge about personal safety, first aid, resilience and disaster preparedness, thus empowering children to protect themselves and others in challenging circumstances;

(b) Take measures to ban military training with the use of firearms and combat training for children under the age of 18 in lyceums;

(c) Put in place mechanisms to identify at an early stage children among refugees and asylum-seekers coming from countries where there are or have been armed conflicts, and who may have been involved in armed conflicts, and provide child victims with appropriate assistance for their full physical and psychological recovery and social reintegration;

(d) Ban the use of cluster munitions, which cause casualties predominantly among civilians, in particular children;

(e) Prevent the use of schools by the State party's armed forces in border areas, in line with the Safe Schools Declaration endorsed by the State party.

<sup>8</sup> CRC/C/OPAC/ARM/CO/1.

## **L. Ratification of international human rights instruments**

46. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## **M. Cooperation with regional bodies**

47. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the Council of Europe.

# **IV. Implementation and reporting**

## **A. Follow-up and dissemination**

48. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

## **B. Next report**

49. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>9</sup> and should not exceed 21,200 words.<sup>10</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

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<sup>9</sup> [CRC/C/58/Rev.3](#).

<sup>10</sup> General Assembly resolution 68/268, para. 16.