



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Concluding observations on the fifth periodic report of Armenia*

1. The Committee considered the fifth periodic report of Armenia¹ at its 2184th and 2187th meetings,² held on 15 and 16 April 2025, and adopted the present concluding observations at its 2200th meeting, held on 29 April 2025.

A. Introduction

2. The Committee expresses its appreciation to the State Party for accepting the simplified reporting procedure and submitting its periodic report thereunder, as this improves the cooperation between the State Party and the Committee and focuses the examination of the report and the dialogue with the delegation.

3. The Committee appreciates having had the opportunity to engage in a constructive dialogue with the State Party's delegation, and the responses provided to the questions and concerns raised during the consideration of the fifth periodic report.

B. Positive aspects

4. The Committee welcomes the ratification by the State Party, in 2021, of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, along with the ratification, in 2023, of the Rome Statute of the International Criminal Court.

5. The Committee also welcomes the State Party's initiatives to revise and introduce legislation in areas of relevance to the Convention, including:

(a) The adoption of the law on prevention of domestic violence, protection of victims of domestic violence and restoration of family solidarity, in 2017, along with amendments to this law enhancing protections against physical, sexual, psychological and economic violence perpetrated by family members, sexual partners or ex-partners, and repealing the conciliation procedure, in 2024;

(b) The adoption of a new Criminal Code, expanding on the definition of torture, including the principle of non-refoulement, and prohibiting the application of a statute of limitations, amnesty, and pardon for criminal offences involving torture, in 2021;

(c) The adoption of a new Criminal Procedure Code, introducing a number of new procedural safeguards against torture and expanding the availability of non-custodial measures, in 2021;

* Adopted by the Committee at its eighty-second session (7 April–2 May 2025).

¹ CAT/C/ARM/5.

² See CAT/C/SR.2184 and CAT/C/SR.2187.



(d) The adoption of a new Penitentiary Code, implementing, inter alia, new procedures for the review of complaints, and new identification and documentation procedures to respond to allegations of torture, in 2022;

(e) The adoption of the law on police guard, aimed at establishing criteria for the legality and proportionality of the use of force and coercive measures in line with international standards, in 2024;

(f) The adoption the Decree of the Prime Minister of Armenia of 18 November 2024 establishing a national mechanism for implementation, reporting and follow-up, in 2024.

6. The Committee commends the State Party's initiatives to modify its policies and procedures in order to afford greater protection of human rights and to apply the Convention, in particular:

(a) The adoption of the 2019–2023 Penitentiary and Probation Strategy, and the subsequent 2024–2026 Penitentiary and Probation Strategy;

(b) The adoption of the 2019–2023 Judicial and Legal Reform Strategy, and the subsequent 2022–2026 Judicial and Legal Reform Strategy;

(c) The adoption of the 2020–2022 Human Rights Action Plan, and the subsequent 2023–2025 Human Rights Action Plan;

(d) The adoption of the 2020–2022 Police Reform Strategy, and the subsequent 2024–2026 Police Reform Strategy, along with their associated action plans covering the same periods;

(e) The adoption of the national strategy for organizing the combating of trafficking in and exploitation of human beings in Armenia, for 2023–2025;

(f) The establishment of the Ministry of Internal Affairs, establishing additional oversight of the police, in 2023;

(g) The establishment of the Penitentiary Medical Centre, and its transfer from the jurisdiction of the Ministry of Justice to the Ministry of Health, in 2019 and 2023 respectively.

C. Principal subjects of concern and recommendations

Pending follow-up issues from the previous reporting cycle

7. In its previous concluding observations, the Committee requested the State Party to provide information on its implementation of the Committee's recommendations on the statute of limitations, amnesty and pardon; the excessive use of force during demonstrations; and deaths in custody, including suicides.³ In the light of the information included on these matters in the follow-up report submitted by the State Party on 24 January 2018, and with reference to the letter dated 20 August 2018 from the Committee's rapporteur for follow-up to concluding observations,⁴ the Committee considered that initial steps towards the implementation of these recommendations had been taken. The outstanding issues addressed in the previous concluding observations are covered in paragraphs 8, 16 and 22 of the present concluding observations.

Definition and criminalization of torture

8. The Committee notes with satisfaction the inclusion of article 450 of the State Party's new Criminal Code, which provides for an expanded definition of torture, along with the inclusion of provisions abolishing the statute of limitations and prohibiting pardons

³ CAT/C/ARM/CO/4, para. 47.

⁴ See https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FAFR%2FARM%2F32204&Lang=en.

and amnesties for the crime of torture. However, the Committee is concerned that, despite the option of imposing heavier penalties in cases where there are aggravating circumstances, the minimum penalty for torture remains low (arts. 1, 2 and 4).

9. **The Committee recommends that the State Party ensure that the penalties for torture are commensurate with the gravity of the crime, in accordance with article 4 (2) of the Convention.**

National human rights institution and national preventive mechanism

10. While acknowledging the recent reaccreditation with “A” status of the Human Rights Defender of the Republic of Armenia by the Global Alliance of National Human Rights Institutions in October 2024, the Committee notes that concerns remain regarding the transparency of the selection and appointment process for membership of its decision-making body. The Committee also expresses its concern that employees of the Human Rights Defender reportedly receive lower overall remuneration than others in comparable positions in the civil service, which contributes in part to the staffing issues faced by this institution. With regard to the work of the Human Rights Defender in its capacity as the State Party’s national preventive mechanism, the Committee is concerned that there is no specific earmarked funding for the national preventive mechanism to carry out its mandate, and that such funding rather is provided to the Human Rights Defender as a whole, thus compromising the independent and autonomous functioning of the national preventive mechanism (arts. 2, 11 and 16).

11. **The State Party should ensure that the Human Rights Defender has the necessary human and financial resources to execute its mandate, and take all measures needed to guarantee its independence, including by ensuring its full compliance with the principles relating to the status and functioning of national institutions for protection and promotion of human rights (the Paris Principles) and implementing the recommendations of the Global Alliance of National Human Rights Institutions’ Subcommittee on Accreditation. The State Party should also ensure that the national preventive mechanism, even if part of the Human Rights Defender, can operate, and be seen to operate, in its own right, complementing rather than merging with existing systems of oversight in the State Party. In this connection, the Committee draws the State Party’s attention to the guidelines on national preventive mechanisms developed by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁵ according to which States parties should provide their national preventive mechanisms with the necessary resources to operate effectively, ensure that they enjoy complete financial and operational autonomy when carrying out their functions and ensure the impartiality and independence of their members. In doing so, the Committee invites the State Party to seek technical and capacity-building support and advice from the Office of the United Nations High Commissioner for Human Rights and, in connection with its activities relating to its work as the national preventive mechanism, from the Subcommittee on Prevention of Torture.**

Fundamental legal safeguards

12. While noting the efforts of the State Party to ensure fundamental legal safeguards against torture and ill-treatment in its domestic legislation, including through the promulgation of a new Criminal Procedure Code, the transfer of all investigative competencies for torture and ill-treatment to the Investigative Committee, and the introduction and use of audio or video recording during interrogations, the Committee is concerned that not all fundamental legal safeguards are ensured in practice. In particular:

(a) Individuals are allegedly not always provided with information on the grounds for their deprivation of liberty or on their rights regarding their detention and interrogation. While noting efforts to overcome difficulties in translation for detainees who do not speak the Armenian language, the Committee is concerned that foreign detainees

⁵ CAT/OP/12/5.

continue to face disproportionate challenges in being adequately informed of their rights in a timely manner, including their right to consular assistance;

(b) In some instances, individuals experience significant delays in accessing, or are unable to access, legal counsel, while authorities have reportedly at times falsely claimed that detainees have waived their right to legal representation. The Committee is also concerned at allegations of ill-treatment and harassment against lawyers trying to gain access to their clients, including punches, kicks and verbal abuse. With regard to access to free legal assistance, the Committee is concerned about information indicating that such assistance is at times ineffective, and that the lawyers appointed sometimes act against the interests of their clients;

(c) Medical examinations are not systematically carried out after apprehension, and are only conducted in cases where a detainee complains of health issues or where law enforcement officers in temporary detention facilities detect bodily injuries or signs of illness during the search process. The Committee is also concerned that the medical confidentiality of detainees is not always maintained, and that examinations in some cases take place in the presence of law enforcement officers. The Committee does, however, note the good practices in place in the State Party, such as the use of independent ambulance personnel for conducting medical examinations, and regulations adopted requiring medical reports to be completed based on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised, in cases where torture or ill-treatment is suspected to have occurred;

(d) Reports that, in some cases, the close relatives of detained individuals were not informed of their whereabouts (arts. 2, 4 and 16).

13. The State Party should ensure that all fundamental legal safeguards are guaranteed, both in law and in practice, for all detained persons from the outset of their deprivation of liberty, including:

(a) **The right to be informed of their rights, including their right to consular assistance, how to exercise those rights, the reason for their arrest, and any charges against them, in a language they understand and in an accessible manner, and to be fully informed of their rights and obligations, including avenues to lodge complaints, immediately upon deprivation of liberty;**

(b) **The right to access and consult with a lawyer of their own choosing and to have the confidentiality of private meetings guaranteed, including prior to interrogation, and, if necessary and applicable, to access free, independent and effective legal aid. In this regard, the State Party should ensure the independence of lawyers, including by, inter alia, ensuring that the domestic legislation is fully in line with the Basic Principles on the Role of Lawyers and other relevant international standards, and by promptly investigating and prosecuting all acts of harassment against lawyers;**

(c) **The right to request and receive, from the very outset of their deprivation of liberty, an examination by an independent medical doctor free of charge, or by a medical doctor of their own choice, in full confidentiality. In this regard, the State Party should ensure that all alleged cases of torture and ill-treatment are promptly medically documented in line with the Istanbul Protocol, as revised, and that registers containing information on injuries and other medical conditions of detainees are carefully maintained;**

(d) **The right to notify a relative or another person of their choice of their detention immediately upon apprehension.**

Principle of non-refoulement

14. The Committee notes the incorporation of the principle of non-refoulement and the non-penalization clause of article 31 of the Convention relating to the Status of Refugees, of 1951, into the new Criminal Code and the new Criminal Procedure Code. However, it is concerned about allegations that, in practice, individuals seeking asylum in some cases

incur criminal liability for irregular entry. The Committee is also concerned about information received which indicates that children may be subject to administrative detention as a result of their migration status. The Committee notes information provided by the delegation regarding the 15-day deadline for seeking asylum for individuals who have irregularly entered the country, who are subject to criminal procedures or who are subject to extradition proceedings, though it remains concerned that individuals who miss this deadline may be unable to apply for asylum, and at allegations of obstacles in the practical application of these regulations, such as the lack of awareness among prison staff of the procedures in place and the lack of a clear mechanism for the identification and referral of asylum-seekers from penitentiary institutions to the Migration and Citizenship Service. The Committee also regrets that the State Party has yet to adopt comprehensive legislation on statelessness and to establish a comprehensive statelessness status determination procedure (arts. 2, 3, 11, 13 and 16).

15. The State Party should ensure that no person is expelled, returned or extradited to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture. In particular, the State Party should:

(a) **Ensure effective implementation of article 469 (5) of the Criminal Code to exempt refugees and asylum-seekers from incurring criminal liability for irregular entry, in accordance with article 31 of the Convention relating to the Status of Refugees, of 1951, and revoke the 15-day limit imposed on individuals seeking asylum;**

(b) **Ensure that detention for the purposes of deportation is applied only as a last resort, when determined to be strictly necessary and proportionate in the light of an individual's circumstances, and for as short a period as possible. Children and families with children should not be detained solely for their immigration status;**

(c) **Establish a clear mechanism for the identification and referral of asylum-seekers from penitentiary institutions to the Migration and Citizenship Service;**

(d) **Increase its efforts to provide continued capacity-building activities with a focus on the principle of non-refoulement, the identification of persons in vulnerable circumstances, including victims of torture, and management of stressful situations, and ensure that police and prison officers, border guards, immigration officials and reception and medical personnel receive appropriate training;**

(e) **Adopt legislation on statelessness in line with international standards and establish a comprehensive statelessness status determination procedure.**

Allegations of torture and ill-treatment

16. The Committee expresses its concern over allegations of torture and ill-treatment by police officers at the moment of, and in the hours immediately following, apprehension of suspects, such as punches, kicks, slaps and, in at least one alleged incident, the use of an electric discharge weapon, including in order to extract information or obtain confessions. The Committee also remains concerned by allegations of excessive use of force by law enforcement officials in the context of demonstrations during the period under review, particularly in September 2023 and in May and June 2024, including beatings by police and the firing of stun grenades directly into crowds, leading to a large number of serious and in some cases lifelong injuries. The Committee recalls its previous concerns⁶ regarding the efficacy of the investigations into excessive use of force in the context of demonstrations in 2008, and regrets that, more than 17 years after the fact, no convictions have been handed down (arts. 2, 4, 11–13, 15 and 16).

17. The State Party should:

(a) **Adopt a zero-tolerance approach to torture and ill-treatment and issue a clear and effective message from the highest possible level that torture and**

⁶ CAT/C/ARM/CO/4, para. 19; and CAT/C/ARM/CO/3, para. 20.

ill-treatment are unacceptable under all circumstances, so as to ensure individual accountability and protection against acts of torture and ill-treatment;

(b) Carry out prompt, impartial, thorough and effective investigations by an independent institution into all allegations of excessive use of force, including torture and ill-treatment, by law enforcement officials, and ensure that those suspected of having committed such acts are immediately suspended from their duties throughout the period of investigation, while ensuring that the principle of presumption of innocence is observed;

(c) Prosecute all persons suspected of having committed torture or ill-treatment, and, if they are found guilty, ensure that they receive sentences that are commensurate with the gravity of their acts and that the victims and/or their family members are afforded appropriate redress and compensation in a timely manner;

(d) Provide all police officers, especially those deployed in crowd control and demonstrations, with systematic training on the use of force, based on the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. The State Party should also consider incorporating the Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests⁷ into its training curricula.

Overuse of pretrial detention

18. While noting the steps taken by the State Party to expand the use of non-custodial measures, in particular through the introduction of relevant provisions in the new Criminal Procedure Code, the Committee is concerned that, in spite of these efforts, the proportion of the prison population awaiting trial has remained consistently high, at over 50 per cent. The Committee is concerned that non-custodial measures remain underutilized, and are not sufficiently applied in practice, and that delays in the adoption of implementing regulations and a lack of material resources, such as electronic surveillance devices, are also contributing factors. The Committee is also concerned at information received indicating that individuals, in some instances, have been held for periods longer than the maximum period established in the Criminal Procedure Code (arts. 2, 4, 11–13 and 16).

19. The State Party should continue its efforts to reduce recourse to pretrial detention by promptly operationalizing all non-custodial measures foreseen in the Criminal Procedure Code, including, where necessary, by developing and implementing relevant regulations and allocating the required sufficient human, financial and material resources. The State Party should also continue its efforts to train prosecutors and judges on the use of non-custodial measures, taking into account the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). The State Party should further ensure that all individuals who have been arbitrarily detained beyond the maximum stipulated periods established by law receive adequate redress, including compensation where appropriate.

Conditions of detention

20. While noting recent efforts to improve conditions of detention in the State Party, including substantial renovations to prison infrastructure and the promulgation of the new Penitentiary Code, the Committee remains concerned that:

(a) Several prisons continue to struggle with overcrowding, in spite of efforts made to reduce recourse to pretrial detention. According to information received, in some locations, such as Artik Penitentiary, the living area allocated per person falls short of the 4m² required by both domestic and international standards, while in other locations dormitory populations exceed the limits established in the Penitentiary Code. The

⁷ [A/HRC/55/60](#).

Committee is also concerned that the problems posed by overcrowding are exacerbated by an elevated vacancy rate in prison staff positions, and the difficult working conditions of prison guards, who often work shifts of up to 24 hours at a time;

(b) Material conditions in several facilities continue to fall below international standards, including as regards ventilation, heating, natural light, and hygiene facilities. In particular, the Committee draws the State Party's attention to the material conditions in Nubarashen Prison, where cells are allegedly in an advanced state of dilapidation. While noting that the State Party plans to close the facility in the near future, and that it accordingly considers that its imminent closure would render any efforts aimed at renovation fruitless, the Committee underscores that the continued detention of individuals in unsuitable facilities may amount to cruel, inhuman or degrading treatment;

(c) Despite substantial reforms in the prison medical service, including the establishment of the Penitentiary Medical Centre and its transfer to the jurisdiction of the Ministry of Health, many prisons continue to lack an adequate number of trained healthcare professionals, including psychiatrists and clinical psychologists. While in some cases, the Committee understands that this may be the result of obstacles faced by the State Party in attracting and recruiting qualified staff, the Committee notes that in other instances the permitted allotment of doctors to penitentiary facilities is insufficient by comparison to the number of detainees accommodated. The Committee is also concerned by information indicating delays faced by prisoners in accessing external medical assistance, and violations of medical confidentiality;

(d) According to the State Party's legislation, contact with family members may be limited as a result of a disciplinary sanction, potentially in violation of international standards. The Committee is also concerned over allegations that inmates are frequently unable to fully exercise their rights under article 87 of the Penitentiary Code to conduct family visits outside of prison facilities, and that phone calls and video calls often take place within earshot of prison guards despite legislation to the contrary;

(e) Despite efforts made by the State Party to provide access to education for prisoners under 19 years of age, and educational and vocational activities to the prison population at large, the range of and access to available activities and employment remains largely insufficient, with the vast majority of prisoners remaining idle for most of the day. The Committee expresses particular concern over the effects that this may have on prisoners seeking to alter their risk classification or qualify for early release, as these usually require evidence of proactive steps taken towards resocialization in the form of enrolment in activities or employment;

(f) In spite of efforts made by the State Party to eliminate criminal hierarchies and subcultures in prisons, such systems still persist, resulting in inter-prisoner violence and the harassment and subjugation of, and extortion against, some inmates (arts. 2, 3, 11 and 16).

21. **The State Party should:**

(a) **Continue its efforts to improve the conditions of detention in all places of deprivation of liberty and to alleviate the overcrowding of penitentiary institutions and other detention facilities, including through the application of non-custodial measures and the recruitment of an adequate quantity of trained staff. In this regard, the Committee draws the State Party's attention to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the Tokyo Rules and the Bangkok Rules;**

(b) **Ensure that all necessary measures are taken to ensure the right of persons deprived of their liberty to the highest attainable standard of health, inter alia through the provision of the necessary human, material and financial resources, including the hiring and allocation of an increased number of physicians, psychiatrists and other medical personnel, and through upholding patients' right to full medical confidentiality;**

(c) **Refrain from imposing restrictions on visitation and family contact as a disciplinary punishment, in line with the Nelson Mandela Rules, ensuring that**

restrictions on such contact are only applied for a limited time period and as strictly required for the maintenance of security and order;

(d) **Take steps to strengthen access to rehabilitation and reintegration programmes in all places of deprivation of liberty, including by providing all detainees with meaningful activities, vocational training, and education, with a view to supporting their rehabilitation in the community, and ensure that the inability of detainees to access such programmes does not adversely affect their prospects for security risk reclassification or early release;**

(e) **Continue its efforts to eliminate criminal subcultures and hierarchies in all places of detention, and carry out prompt and effective investigations into all allegations of inter-prisoner violence and abuse. In this regard, the State Party should implement preventive measures, including enhanced and ongoing training for prison staff on human rights standards, prevention of inter-prisoner violence, early identification of risks, and appropriate management of dynamic security.**

Deaths in custody

22. The Committee is concerned that the prison population in the State Party continues to suffer from high rates of suicide and self-harm. Despite the introduction of a suicide and self-harm risk screening and assessment toolkit in 2022, and the amendment of the relevant legal regulation in 2023, it is concerned by information indicating that the practical application of the toolkit remains problematic, due in part to a lack of qualified psychological and psychiatric professionals and a lack of adequate supervision and case management. The Committee is also concerned over allegations that investigations into incidents of suicide and self-harm are ineffective and subject to unacceptable delays.

23. **The State Party should assess the effectiveness of strategies, risk-assessment tools, and programmes for the prevention of suicide and self-harm, adequately train staff on their implementation, and adopt measures to ensure that all incidents of self-harm and all deaths in custody are documented and investigated in a prompt and impartial manner by an independent body, taking into account, where relevant, the Minnesota Protocol on the Investigation of Potentially Unlawful Death. The State Party should also strengthen the protection of prisoners in vulnerable circumstances and other prisoners at risk, in accordance with the Nelson Mandela Rules and the European Prison Rules adopted by the Council of Europe.**

Psychiatric and social care institutions

24. While the Committee notes information received by the State Party that it is taking initial steps towards a deinstitutionalized model of psychiatric care, the Committee is concerned that the provision of community-based services remains lacking in the State Party. The Committee is also concerned that domestic legislation fails to provide for the periodic review of involuntary psychiatric and social care placement by a court or an independent body, and that, following the placement of an individual deprived of their legal capacity in such institutions, the receiving institutions automatically receive the status of legal guardian, giving rise to a potential conflict of interest in the case of complaints. As regards material conditions, the Committee is concerned over information indicating that conditions in some psychiatric facilities are poor, characterized by inadequate hygiene, substandard living environments, and the use of non-regulation physical restraints, including as punishment, with some patients being restrained for extended periods. The Committee is also concerned over reports that in some institutions, children are accommodated with adults, and male residents are accommodated with female residents in the same room. As regards children in social care institutions, the Committee is concerned over reports of violence against and among children, including sexual violence, self-harm, and the use of punitive educational methods (arts. 2, 11–13 and 16).

25. **The Committee recommends that the State Party:**

(a) **Redouble its efforts and allocate sufficient resources to improve material conditions in all psychiatric and social care institutions, reduce recourse to involuntary placement in psychiatric and social care, and develop and implement a**

policy of deinstitutionalization in the form of alternative and community-based support services and other forms of outpatient care programmes throughout its territory;

(b) Reduce recourse to coercion in psychiatric settings, and ensure that physical or chemical means of restraint are used in accordance with the law, under strict supervision and with regular monitoring by specialized medical personnel, for the shortest time possible to prevent the risk of harm, only as a last resort to prevent the risk of harm to the individual or others and only when all other reasonable options would fail to satisfactorily contain that risk. The State Party should also ensure that all use of physical or chemical means of restraint should be recorded in special registers, and that all allegations of abuse are effectively investigated and prosecuted, where necessary;

(c) Ensure that sufficient legal and procedural safeguards for residents in psychiatric institutions and social care facilities are implemented, both in law and in practice, including access to a lawyer or other independent person appointed to act in their interest, and that they are accompanied by periodic judicial reviews of, and effective avenues of appeal against, both de jure and de facto involuntary institutionalization;

(d) Guarantee that children with intellectual disabilities or psychosocial disabilities are never held in psychiatric wards for adults and are subject to referral to appropriate health facilities, where they can receive psychiatric supervision and treatment, if needed, and are provided with adequate accommodation and psychosocial support;

(e) Redouble efforts to eliminate violence against and among children in social care institutions and reduce the incidence of self-harm, including by establishing adequate and effective recording and reporting mechanisms, ensuring the liability of staff for their improper use, establishing adequate and effective complaints mechanisms for children and educating them on their use, and providing continuous training courses for employees of social care institutions on the identification and prevention of cases of violence, self-harm, and attempts at self-harm or suicide. All allegations of violence against children should be immediately and effectively investigated, and prosecuted where appropriate.

Hazing and ill-treatment in the military

26. The Committee remains concerned over the high number of reported cases of suicide and other non-combat deaths of service members in the armed forces of Armenia and is concerned that the continued prevalence of practices such as hazing and the application of psychological pressure is a contributing factor in this regard (arts. 2, 4, 12, 13 and 16).

27. The Committee reiterates⁸ its previous recommendations and recommends that the State Party strengthen its preventive action aimed at eliminating hazing and ill-treatment of personnel, provide adequate psychological support to service members as appropriate, destigmatizing and promoting the use of such support, ensure prompt and effective investigations into all allegations of abuse and deaths of personnel in the army, including suicides, prosecute and punish those responsible with appropriate penalties, and provide victims and their families with redress. The State Party should also ensure that complaints against military personnel are considered by a sufficiently independent body, and strengthen the oversight of military conduct through regular inspections by independent civilian bodies, including the Human Rights Defender of the Republic of Armenia and relevant public authorities.

⁸ CAT/C/ARM/CO/4, para. 36; and CAT/C/ARM/CO/3, para. 9.

Conflict in Nagorno-Karabakh

28. The Committee is concerned by reports of grave violations of international humanitarian law and human rights law committed by Armenian military forces against prisoners of war and other protected persons of Azerbaijani ethnic or national origin, including extrajudicial killings, torture and other ill-treatment, and the recording and dissemination of videos that appear to depict the desecration and mutilation of corpses. The Committee notes the information provided by the State Party regarding six criminal investigations that have been opened in relation to these allegations, however it regrets that, to date, no criminal charges have been filed, as the identities of the alleged perpetrators have not been confirmed. The Committee underscores the need for independent, impartial, transparent and effective investigations into allegations of extrajudicial killings, torture and ill-treatment, and other violations of international humanitarian law, and the prosecution of those responsible (arts. 2, 4, 11–13, 15 and 16).

29. **The Committee underscores that the prohibition of torture is non-derogable, that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for torture, and that the obligations stemming from this prohibition are not subject to reciprocity. The Committee also recalls that the prohibition of torture and inhuman treatment contained in the Geneva Convention relative to the Treatment of Prisoners of War, and in Protocol I Additional to the Geneva Conventions of 1949, applies to all cases of armed conflict between two High Contracting Parties, including outside of cases of declared war. In this regard, the Committee recommends that the State Party:**

(a) **Condemn at the highest levels any violations of international humanitarian law and human rights law related to the conflict in the region, conduct prompt, independent, impartial, transparent and effective investigations into all allegations of violations of international humanitarian law and human rights law committed by members of the armed forces of Armenia in the context of hostilities in the region and the capture of combatants, including allegations of extrajudicial executions, torture and ill-treatment, prosecute and punish appropriately those determined to be responsible, and provide victims or their families with redress and compensation;**

(b) **Ensure that investigations and prosecutions include the acts of any persons in a position of command or superior responsibility who knew or should have known that his or her subordinates had committed, or were likely to commit, extrajudicial executions, torture or ill-treatment, or other war crimes, and failed to take reasonable and necessary preventive measures.**

Gender-based and domestic violence

30. The Committee acknowledges the State Party's efforts to prevent gender-based and domestic violence, including through the introduction of provisions in the new Criminal Code and through the Law on Prevention of Domestic Violence and its amendments, along with training and awareness-raising activities. However, the Committee regrets that domestic legislation still fails to address all forms of violence and discrimination based on gender, and is concerned that high rates of gender-based and domestic violence still persist in the State Party. The Committee is concerned that instances of gender-based and domestic violence continue to be underreported due to social stigma, fear of reprisals by perpetrators, lack of awareness about available resources and services, and limited access to support services in remote areas (arts. 2, 12, 13 and 16).

31. **The State Party should ensure that all acts of gender-based and domestic violence, including those involving actions and omissions by State authorities or other entities that engage the international responsibility of the State Party under the Convention, are thoroughly investigated, including through the initiation of ex officio investigations, that the alleged perpetrators are prosecuted and, if convicted, punished appropriately, and that the survivors or their families receive redress, including adequate compensation and rehabilitation. The State Party should also take necessary**

measures to prevent all forms of violence against women, increase its efforts to provide mandatory training on sexual and gender-based violence for law enforcement officials, social workers, medical personnel, lawyers, prosecutors and judges, and consider becoming a party to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

Corporal punishment

32. While noting the existence of draft legislation aimed at explicitly prohibiting corporal punishment in all settings, the Committee is concerned at reports that a high proportion of children have experienced violent treatment in the State Party and regrets the State Party continues to lack provisions in its domestic legislation explicitly criminalizing the use of corporal punishment in the home, in care institutions, and in early childhood care and day care for older children (arts. 2, 4 and 16).

33. The State Party should explicitly prohibit the use of corporal punishment in all settings, including at home and in institutional childcare and day-care centres where adults exercise parental authority over children, and raise public awareness of positive, participatory and non-violent forms of discipline. In this regard, the State Party should promptly approve the draft Law on the Rights of the Child, ensuring its conformity with international standards.

Training

34. The Committee notes the efforts made by the State Party to administer training for all relevant personnel, including judges and prosecutors, regarding the prohibition of torture and other relevant topics of concern under the Convention. While noting information provided by the State Party indicating that methodologies to assess the effectiveness of such training are currently in development, the Committee regrets that no information was received regarding the existence of methodologies that are already in place (art. 10).

35. The Committee recommends that the State Party continue its efforts to provide mandatory training on the provisions of the Convention for all law enforcement personnel, civil or military, medical personnel, judges, prosecutors, and other public officials and persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment. In this regard, the State Party should develop methodologies to assess the impact of these training programmes. The State Party should also consider incorporating the Principles on Effective Interviewing for Investigations and Information-Gathering, known as the Méndez Principles, into future initiatives to review and revise interrogation techniques.

Investigation and prosecution of acts of torture and ill-treatment

36. While recognizing the high number of investigations into allegations of torture and ill-treatment in the State Party, the Committee is concerned by the low number of investigations that result in criminal prosecutions. The Committee is also concerned that in many cases, investigations are subject to significant delays, and alleged victims are not adequately updated on their progress. The Committee notes the transfer of competency for the investigation of allegations of torture and ill-treatment from the Special Investigative Service to the Investigative Committee in 2022, but regrets that the department of the Investigative Committee tasked with investigating allegations of torture, the Department for the Investigation of Torture, Abuse and the Exceeding of Authority by Officials Using Violence, lacks an adequate number of specialized staff and does not have any regional presences, instead requiring victims and witnesses to travel long distances in some cases to participate in investigations. The Committee also expresses its concern regarding the independence of the Investigative Committee, noting that it is tasked with the investigation of all crimes in the State Party, and thus maintains a significant institutional relationship with the police (arts. 2, 4, 11–13 and 16).

37. The State Party should ensure that all complaints of torture or ill-treatment are investigated promptly and impartially by an independent institution, that suspected

officials are suspended from duty immediately for the duration of the investigation, particularly where there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim, interfere in the collection of evidence or otherwise obstruct the investigation, subject to the principle of the presumption of innocence, and ensure that the alleged perpetrators are duly prosecuted and, if found guilty, given a sentence commensurate with the gravity of their acts. In this regard, the State Party should consider establishing the Department for the Investigation of Torture, Abuse and the Exceeding of Authority by Officials Using Violence as an independent entity, and providing it with a sufficient number of specialized staff and continued training to carry out its mandate fully, across the entire territory of the State Party.

Redress

38. The Committee regrets that despite the inclusion of plans for establishing centres for the rehabilitation of victims of torture within the State Party's National Action Plan on Human Rights 2023–2025, the State Party has yet to establish such centres. The Committee is also concerned that victims may be unable to receive compensation and other forms of redress in instances where no criminal prosecution has taken place. As regards victims' access to justice, the Committee regrets revisions to the Criminal Procedure Code and Tax Code which limit the ability of human rights organizations and victims' advocates to act on victims' behalf in court proceedings and which impose onerous financial obligations on organizations and law firms providing them with pro bono support (art. 14).

39. **The State Party should ensure that all victims of torture and ill-treatment obtain redress, including by ensuring an enforceable right to fair and adequate compensation and the means for as full a rehabilitation as possible, regardless of whether the identity of the perpetrator may be ascertained, or a criminal conviction has been handed down. In this regard, the State Party should also consider revising its domestic legislation to ensure victims' full access to justice, inter alia by facilitating the work of human rights organizations and other victim representatives who wish to act in victims' interests and by refraining from imposing burdensome restrictions that hinder their ability to carry out their work. The State Party may further consider contributing to the United Nations Voluntary Fund for Victims of Torture.**

Confessions obtained through the use of torture

40. The Committee notes the existence of legislation in the State Party which excludes the admissibility of statements obtained through the use of torture. However, it regrets that, during the dialogue, the State Party did not provide information on any instances where such legislation had been applied (art. 15).

41. **The State Party must ensure that confessions and other statements obtained through torture or ill-treatment are not admitted as evidence in practice – except against persons accused of committing torture, as evidence that the statement was made under duress.**

Data collection

42. The Committee acknowledges the efforts of the State Party to collect data on topics of relevance to its obligations under the Convention. However, the Committee expresses its concern that the collection of data on this topic continues to pose a challenge in practice in terms of technical capacity and training on its use (arts. 2, 11–13 and 16).

43. **The State Party should intensify its efforts to compile and publish comprehensive disaggregated statistical information on all matters relevant to its obligations under the Convention, including on all complaints and reports received of torture, ill-treatment, excessive use of force and abuse of power concerning public officials, including information on whether such complaints led to investigations and, if so, by which authority, whether the investigation resulted in the imposition of disciplinary measures or prosecutions, and whether the victims obtained redress.**

Follow-up procedure

44. The Committee requests the State Party to provide, by 2 May 2026, information on follow-up to the Committee's recommendations on the criminalization of and limits imposed on individuals seeking asylum; the investigation of allegations of torture; pretrial detention and the use of non-custodial measures; the use of restraint in psychiatric and social care settings; and treatment of children with intellectual or psychosocial disabilities (see paras. 15 (a), 17 (b), 19 and 25 (d) above). In that context, the State Party is invited to inform the Committee about its plans for implementing, within the coming reporting period, the remaining recommendations in the present concluding observations.

Other issues

45. The Committee encourages the State Party to consider making the declaration under article 22 of the Convention recognizing the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the State Party of the provisions of the Convention.

46. The State Party is requested to widely disseminate the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations and to inform the Committee about its dissemination activities.

47. The Committee requests the State Party to submit its next periodic report, which will be its sixth, by 2 May 2029. For that purpose, and in view of the fact that the State Party has agreed to report to the Committee under the simplified reporting procedure, the Committee will, in due course, transmit to the State Party a list of issues prior to reporting. The State Party's replies to that list of issues will constitute its sixth periodic report under article 19 of the Convention.
