



Convention on the Rights of the Child

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Committee on the Rights of the Child Sixty-third session

Summary record of the 1791st meeting

Held at the Palais Wilson, Geneva, on Wednesday, 29 May 2013, at 3 p.m.

Chairperson: Ms. Sandberg

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

Consideration of reports of States parties *(continued)*

Third and fourth periodic reports of Armenia on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/ARM/3-4; CRC/C/ARM/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Armenia took places at the Committee table.*
2. **Ms. Khazova** asked how the State party guaranteed the protection of children against abduction by a family member, in accordance with the Convention on the Civil Aspects of International Child Abduction, which the State party had ratified.
3. **Mr. Kotrane** asked what measures the State party took to implement the provisions of the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138). He would like details on the operation of the juvenile justice system, in particular on the use of pretrial detention and the duration of the sentences imposed.
4. **Ms. Wijemanne** asked whether there were plans to impose stricter regulations in order to limit advertising for breast-milk substitutes in maternity wards and to raise awareness among young mothers of the need to breastfeed their child. She would also like to know whether the State party had launched preventive and awareness-raising campaigns concerning substance abuse and the risks related to HIV/AIDS. Lastly, she asked what measures were taken to train professionals in the care of children with disabilities.
5. **Ms. Aidoo** asked whether students, including those in military institutions, were taught about human rights at school.
6. **Ms. Harutyunyan** (Armenia) said that the Family Code contained a number of provisions aimed at guaranteeing respect for the child's opinion, including freedom of conscience and freedom to choose the place of residence in the event of the parents' divorce. Article 46 required that the opinions of any child over the age of 10 should be taken into consideration in the event that the family name was changed; other provisions required that the child's opinion should be taken into account in legal proceedings or in the event of adoption. Lastly, article 53 stated that the exercise of the parents' rights must not be at the expense of those of their children.
7. **Mr. Gastaud** (Country Rapporteur for the Convention on the Rights of the Child) asked what remedies were available to children who felt that their opinion had not been adequately taken into account.
8. **Ms. Harutyunyan** (Armenia) said that judges rigorously applied the legal provisions designed to ensure respect for the child's opinions. Children under 10 received special protection and psychosocial support from professionals who ensured respect for the children's best interests in matters concerning them. A bill had been formulated with the aim of increasing the participation of children over the age of 16 in local decision-making processes, which would enable them to submit proposals about issues that concerned them.
9. **Mr. Kirakosyan** (Armenia) said that, when one of the parents acquired Armenian nationality, it automatically passed to the child if he or she was aged under 14. Children over 14 must give their consent on all issues regarding nationality or personal status.
10. **Ms. Harutyunyan** (Armenia) said that, since April 2013, the legal age of marriage for girls had been raised to 18 (the legal age for boys); it had previously been 17 for girls. There was still one exception, however, for an ethnic minority group, whose members could marry from the age of 17 with authorization from their parents or guardian. In certain exceptional cases, a girl under the age of 17 could marry provided that her future husband

had reached the age of majority and that both parties had obtained the consent of their parents.

11. **The Chairperson** asked whether religious education was compulsory for all students, regardless of their faith.

12. **Mr. Stepanyan** (Armenia) said that religious history education was part of the core curriculum of general education in State schools but was not compulsory. Students mainly studied religious texts and traditional prayers, but were not obliged to pray. Priests could be invited to give those lessons but they did not proselytize, as it was not a question of religious instruction.

13. School was compulsory up to the ninth year of education; the school dropout rate was steadily decreasing and the recent school success rate of girls was better than that of boys. From the age of 13 students could choose to follow a vocational stream, which also included a general education. To reduce rates of school dropout and absenteeism, the competent authorities had established a system for checking absences and for monitoring class registers, which had produced good results.

14. **Mr. Cardona Llorens** asked whether children with disabilities could be educated in the ordinary school system.

15. **Mr. Stepanyan** (Armenia) said that the integration of children with disabilities into the school system was now practised in Armenia. In total, 120 so-called “inclusive” schools met strict criteria in terms of infrastructure, teacher training and special support for children with particular needs. There was a plan to extend inclusive education to all schools in the country but, as it stood, only a few hundred students were covered by those services. Teacher training would be adapted to the new inclusive education policy and assessment criteria for children’s needs were being developed, with support from UNICEF.

16. **Mr. Gastaud** asked whether parents and families should not be made more aware of the need to enrol their children in school and whether financial assistance should be provided to families to prevent children being forced to leave school.

17. **Mr. Stepanyan** (Armenia) said that the issue of school dropout required a coordinated response from the public authorities, with input from the social services, education services and other professionals. There were plans to form multidisciplinary teams responsible for individually monitoring children who had dropped out of school in order to help them resume normal education.

18. With the support of UNICEF and the World Bank and the active participation of local authorities, a programme for financing preschool education had been put in place. The objective was to enrol all children aged 3 to 5 in preschool over the next few years. Parliament had recently passed a law allocating 4 per cent of gross domestic product to education by 2015. While it would be difficult to attain that ambitious objective, the public authorities would spare no effort in doing so.

19. **Ms. Saribekyan** (Armenia) said that her country’s health policy was based on World Health Organization (WHO) recommendations, which the Government implemented with support from UNICEF. Regarding the health of adolescents in particular, it should be noted that very few of them smoked, drank alcohol or took drugs.

20. Adolescents did, however, suffer from nutrition problems. A recent study had shown that 15 per cent of children were overweight and that 1 in 5 was underweight. To remedy those problems, the Government was planning to adopt various measures, including a strategy to combat low weight and rickets. It was also true that some adolescents suffered from mental health problems, which led to 30 to 40 suicides annually. As the number of suicides had been increasing since 2005, the Government was cooperating with UNICEF to

put in place specific projects for young people. It should be emphasized that children's mental health was included on the agenda of the National Commission for the Protection of Children's Rights. As to HIV/AIDS, out of a total of 1,445 persons who were HIV-positive, 2 per cent were children. To prevent mother-to-child transmission, the Government had adopted a strategy to combat HIV/AIDS. All pregnant women had to undergo medical examinations; if they were found to be HIV-positive, they were given antiretroviral therapy and breastfeeding was excluded, which prevented transmission of the virus to the child in the vast majority of cases. Armenia planned to allocate further resources to reduce child and maternal mortality. It should nevertheless be borne in mind that the rate of child mortality had fallen by over 50 per cent since the 1990s. Regarding breastfeeding, Armenia had adopted an Act prohibiting the advertising of breast-milk substitutes. A bill prohibiting their marketing might be adopted. Almost 60 per cent of children were born in baby-friendly hospitals, managed by NGOs. As the European Union had recommended that Armenia resolve the problem of selective abortion, the Ministry of Health had drawn up a bill prohibiting the child's sex from being revealed to the parents before the twenty-second week.

21. **Ms. Herczog** asked why the Government did not take responsibility for the management of baby-friendly hospitals and why it was not possible to prevent all children from being separated from their mother after birth.

22. **Ms. Saribekyan** (Armenia) said that all children remained with their mother after birth, but breast-milk substitutes were distributed in certain hospitals.

The meeting was suspended at 4.25 p.m. and resumed at 4.40 p.m.

23. **Mr. Kirakosyan** (Armenia) said that the age of criminal responsibility was set at 16 years but, in certain cases, it could be lowered to 14. The Criminal Procedure Code did not contain any specific provision regarding interviewing or receiving testimony from children under 14. Nevertheless, all minors placed in pretrial detention were separated from adults. The draft criminal procedure code, which was currently under examination in Parliament, included procedural guarantees.

24. **Mr. Kotrane** asked from what age a minor could come before a judge. Having been told that 50 per cent of minors placed in detention were detained for nine months, and 20 per cent for over a year and that 90 per cent of proceedings involving minors resulted in a prison sentence, he asked the delegation to confirm or deny those reports.

25. **Ms. Winter** asked whether the maximum period for pretrial detention was different for children and adults. She also wished to know how many times pretrial detention could be extended.

26. **Mr. Kirakosyan** (Armenia) said that the names of minors who had not reached the age of criminal responsibility were kept in police files. They were the subject of special measures and were monitored by specialized bodies.

27. **Ms. Duryan** (Armenia) said that minors who had not reached the age of criminal responsibility could, upon the decision of a judge, be placed under the supervision of their community. In cooperation with UNICEF, the police implemented preventive measures. Rehabilitation centres had also been established for minors.

28. **Mr. Kotrane** said that minors who were not criminally responsible should be dealt with by the social services and should under no circumstances be deprived of their liberty.

29. **The Chairperson** asked whether it was the case that girls were not separated from adult women in detention.

30. **Ms. Duryan** (Armenia) said that, over the past two years, only one girl had been placed in detention. Out of an annual average of 400 young offenders, about 15 were

sentenced. Minors went several times a week to centres set up specially for them to meet with psychologists and social workers. They were only placed in detention if they committed serious offences.

31. **Mr. Kirakosyan** (Armenia) said that the Criminal Procedure Code did not provide for different maximum periods of pretrial detention for adults and minors. Pretrial detention could last up to two months and, in exceptional circumstances, could be extended to a year.

32. **Ms. Winter** asked whether children under the age of 14 could ever be detained in a closed institution.

33. **Ms. Muhamad Shariff** asked whether the social services were informed when a minor was arrested and whether a social services representative was present during the interview.

34. **Ms. Duryan** (Armenia) said that children under 14 years of age were never detained in a closed institution. When a minor was arrested, his or her parents, the community and social workers were informed. A social worker could be present during the interview if necessary.

35. **Mr. Kirakosyan** (Armenia) said that the current Criminal Procedure Code contained no provision requiring that a social worker be present during the interview with a minor, but the future Code would contain such a provision.

36. **Mr. Gastaud** asked when the new Criminal Procedure Code would come into force. He asked whether children over 14 who were given a prison sentence received lessons to help them reintegrate.

37. **Ms. Winter** asked whether the new version of the Code would contain provisions for the protection of child victims and witnesses.

38. **Mr. Kotrane** asked whether the new Code would guarantee protection of the privacy of children in conflict with the law and their families.

39. **Mr. Kirakosyan** (Armenia) said that the new Code would probably enter into force in 2014. It would indeed contain provisions which guaranteed the protection of child victims and witnesses.

40. **Ms. Duryan** (Armenia) said that her Government had set itself the objective of improving the quality of the education given to detained minors in order to facilitate their social reintegration when they were released.

41. **Ms. Ghazaryan** (Armenia) said that, despite the financial crisis affecting Armenia, children's social programmes had not suffered any budget cutback. The family support programme provided for the payment of benefits to households that could not meet their basic needs. Armenia had set up child protection centres that took in children from disadvantaged families and provided meals, psychological and medical care, and educational support classes. Children with disabilities were cared for by psychologists, social workers, doctors, teachers and legal experts in specialized centres in the various regions.

42. **The Chairperson** asked whether the personnel responsible for assessing the family situation of children in order to determine the need to place them in care were unqualified volunteers or social workers trained for that purpose.

43. **Ms. Poghosyan** (Armenia) said that the personnel who intervened at the local level to assess the family situation of children had sound practical knowledge and that, in any event, the decision as to whether a child should be placed in care was made by the competent bodies at the regional level. Within the framework of the national strategy for children's rights, funds had been allocated to establish an authority which would make the

final decision on matters concerning children, particularly on placing children under wardship or guardianship. The various family support programmes had enabled the number of children who were institutionalized to be reduced by 40 per cent. Children deprived of a family environment — a more suitable term than “orphans” — received grants to encourage them to continue their schooling until they were 18. Specialized centres had been set up to take in children with serious disabilities whom the family could not accommodate in the home.

44. **Ms. Wijemanne** considered that it was not normal that only 10 per cent of institutionalized children were orphans and that children with serious disabilities could not stay in their family environment. In her view, the State party should review its social protection system.

45. **Ms. Herczog** asked whether the State party envisaged granting more resources to parents of children with disabilities so that they themselves could look after their child, or setting up a network of foster families who specialized in the care of children with disabilities. She wished to know whether the State party planned to encourage the care of children deprived of a family environment by members of the extended family by providing them with financial support, and whether studies had been conducted to determine whether children who left child protection centres once they reached the age of majority managed to reintegrate into society.

46. **Mr. Gastaud** noted that the State party had undertaken to apply the Convention more effectively, and said that the Committee would ensure, during consideration of Armenia’s next periodic report, that all the programmes and strategies referred to had indeed been implemented.

Initial report of Armenia on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/ARM/1; CRC/C/OPAC/ARM/Q/1 and Add.1)

47. **Ms. Oviedo Fierro** (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) asked whether the State party had distributed the Protocol throughout the country. She would appreciate further details on the training received by military school students and would like to know how many 16- and 17-year-olds were enrolled in those schools. Lastly, she would like to know whether the State party had set up a system to register complaints of violations of the principles enshrined in the Protocol.

48. **Mr. Cardona Llorens** (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) asked whether 16- and 17-year-old students in military school were subject to military discipline and were taught to use weapons. He wished to know if it was the case that cadets who decided not to follow a career in the army were required to reimburse the respective tuition fees.

49. The delegation was invited to indicate whether a child of 17 could, in the event of a state of emergency, be mobilized and sent to the front, and whether the State party had established a mechanism to identify children on Armenian territory, especially from Syria or Iraq, who might have taken part in armed conflicts in their country of origin. Lastly, the delegation might wish to indicate whether the State party ensured that in the countries to which it sold small arms there were no children involved in an armed conflict.

50. **Mr. Kotrane** asked whether children could request that they be declared of full age and capacity so as to carry out military service before they reached majority, which was the age for voluntary recruitment, and whether the Armenian Criminal Code prohibited child recruitment by non-State armed groups.

51. **Mr. Madi** invited the State party to respond more precisely to question 10 of the list of issues, which requested specific information on the situation of refugee and asylum-seeking children who might have been involved in an armed conflict.

52. **Ms. Winter** said she would like to know whether minors had already been prosecuted, and even convicted, for their alleged involvement in terrorist acts, and whether the victims and witnesses involved in such matters received protection.

Initial report of Armenia on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/ARM/1; CRC/C/OPSC/ARM/Q/1 and Add.1)

53. **Ms. Oviedo Fierro** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) asked whether the Protocol had been distributed throughout the country, including to children, and whether the State party had implemented measures to prevent the offences targeted therein. How many child migrants and refugees were there in Armenia and what bodies were responsible for the care of victims of trafficking in children, exploitation and child prostitution? She would also like to know whether the commission responsible for combating trafficking carried out actions to prevent the other offences covered by the Protocol, and whether the State party coordinated its action with civil society organizations and with victims' families. Lastly, she asked what mechanisms had been set up to receive complaints from child victims.

54. **Mr. Cardona Llorens** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) said that, according to information from reliable NGOs, the number of victims of offences covered by the Protocol was well above the figure presented by the State party, which was based only on cases reported to the police. He would like to know the number of vagrant children and children reduced to begging, who were particularly vulnerable, in the State party. Regretting the lack of data on the incidence of the various offences punishable under the Protocol (trafficking, prostitution, sexual and commercial exploitation, and child pornography), he asked whether the sale of children for purposes of adoption and the possession of child pornography had been criminalized.

55. Lastly, the delegation was invited to indicate what measures had been taken by the State party to prevent the corruption of officials responsible for adoption procedures and to specify whether it planned to cancel administrative sanctions and fines for children who had been forced into prostitution.

The meeting rose at 6 p.m.