



# Monitoring of the National Strategy for the Protection of Human Rights and its Implementation Action Plan for the period of 2020-2022

**Results** 

October, 2020

# Content

Acronyms	3
Executive Summary	4
Monitoring Methodology	10
SPHERE 1: THE RIGHT TO LIFE	14
SPHERE 2: PROHIBITION OF TORTURES	26
SPHERE 3: RIGHT TO A FAIR TRIAL	33
SPHERE 4: EQUALITY OF RIGHTS, NON-DISCRIMINATION	38
SPHERE 5: RIGHT TO HEALTH	48
SPHERE 6: FREEDOM OF ASSEMBLEY	52
SPHERE 7: RIGHT TO EDUCATION	54
SPHERE 8: FREEDOM OF EXPRESSING AN OPINION	58
SPHERE 9: RIGHT TO EMPLOYMENT	61
SPHERE 10: RIGHT TO SOCIAL SECURITY AND MINIMAL LIVING CONDITIONS	66
SPHERE 11: RIGHTS OF THE CHILD	70
SPHERE 12: FREEDOM OF ECONOMIC ACTIVITY	75
SPHERE 13: STRATEGIC COMMUNICATION	78

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**Note:** Monitoring activities planned within the scope of the project started in May 2020. The report was developed in September-October 2020.

# **Acronyms**

HLIB Health and Labor Inspection Body

KII Key informant interview

EC European Council MF Military forces

DMPS Department of Moral and Psychological Support of Armed Forces

NGO Non-governmental organization

RA MoJ Republic of Armenia RA MoJ RA Ministry of Justice

RA MLSA RA Ministry of Labor and Social Affairs

RA MESCS RA Ministry of Education, Science, Culture and Sports

RA MoD RA Ministry of defence

RA MTAI RA Ministry of Territorial Administration and Infrastructure

AMD Armenian Dram

RPPC Republican Psychological-Pedagogical Center

CSF Command and Staff Faculty

UN United Nations

ECHR European Court of Human Rights

HRP Human rights protection

ICMPD International Center for Migration Policy Development

SRC State Revenue Committee SNCO State non-profit organization

CC Constitutional Court

TPPSC Territorial Pedagogical-Psychological Support Center

CJSC Closed Joint-Stock Company
PI Penitentiary institution
CSO Civil society organization
FGD Focus Group Discussion

# **Executive Summary**

This document includes the results of the monitoring of the Action Plan for 2020-2022 for the Implementation of the National Strategy for Human Rights, The monitoring was carried out within the framework of the "Promoting of Straight Democracy for Strengthening Human Rights in Armenia" Project. The monitoring was aimed to assess the current state of implementation of the Action Plan, to identify the main areas where the deadlines were violated, to evaluate the implementation process of the Action Plan for the selected target areas from qualitative point of view of the implementation of actions.

During the first stage of the project, four online seminars-public discussions were held to present the project and discuss the Action Plan with the participation of key stakeholders involving CSOs and representatives of the sector from three regions of Armenia: Lori, Shirak and Syunik and the capital city Yerevan and the parties responsible for the implementation of the Action Plan.

Within the framework of the monitoring, information inquiries, study/analysis of office documents analysis, focus group discussions (FGDs) with stakeholders and key informant interviews (KIIs) were conducted, FGDs and KIIs were conducted with government agencies responsible for implementation of these activities, as well as CSO representatives, lawyers, attorneys, public defenders and individual experts. A total of 3 FGDs and 3 in-depth interviews were conducted.

The monitoring of the Action Plan of National Strategy for the Protection of Human Rights of the Republic of Armenia for the period of 2020-2022 recorded the following results:

In the Sphere of the Right to Life, during the first half of 2020, the RA MLSA established 11 support centers and 2 shelters for the victims of domestic violence. About 463 people were assisted by NGOs providing services of the Domestic Violence Victims Support Centers. The RA MLSA has developed a draft decision of the Government of the Republic of Armenia "On approving the Action Plan for Combating Domestic Violence for the Period of 2021-2023 and Measures for the Implementation of the Plan", which is currently in departmental discussion stage. Trainings on the right to life, domestic violence and violence against women in various government agencies have not been conducted mainly due to the epidemic situation in the country, however, steps have been taken to develop and implement training programs. Certain awareness-raising measures on the rights to life have been implemented in the Armed Forces, whereas due to the epidemic situation such measures were not implemented in Penitentiary Institutions (PI).

In the Sphere of Prohibition of Torture, the number of rooms for asylum seekers has not increased in the first half of 2020, the design-estimate documents of the new center are already developed and a construction tender has been announced. Video surveillance systems have been installed in 11 subdivisions of the RA Police. Training on torture, inhuman or

degrading treatment mostly have not yet been carried out in various government departments, however steps have been taken to develop and implement training programs.

In the Sphere of the Right to a Fair Trial, the law clearly stipulates the criteria for the use of bail as an alternative measure of restraint. The trainings on this topic in different state bodies have not been carried out yet, mainly due to the epidemic situation in the country.

In the Sphere of Equality of Rights and Non-Discrimination, in the scope of a number of legislative changes envisaged in the field the bill of the Law on Equality of Rights is currently being amended, whereas the bill of the Law on Persons with Disabilities of the Republic of Armenia and the bill of the Law on the Assessment of a Person's Functionality are submitted to the RA Prime Minister's Office. Training on the topic of equality of rights and non-discrimination has been implemented for the police officers, medics, and social workers. Certain awareness-raising activities have been implemented as well.

In the Sphere of the Right to Health, renovation, furnishing and staffing of two centers for providing child rehabilitation services were carried out. The list of medical services guaranteed by the state is posted in 184 medical institutions. 14.5% of family doctors have been trained on the specifics of medical care and services for people with disabilities.

<u>In the Sphere of Freedom of Assembly</u>, 81 police officers have participated in the implemented training.

<u>In the Sphere of Right to Education</u>, the draft decision of the RA Government "On Defining the Procedure for Identifying and Referral of Children Left out of Compulsory Education" has been submitted to the Office of the Prime Minister of the Republic of Armenia. A total of 6,111 teachers and assistant teachers were trained on inclusive education.

<u>In the Sphere of Expression of Opinion</u>, trainings on the right to receive information have not been implemented yet and are planned to be implemented from September 2020.

In the Sphere of Right to Employment, the general description defining the methodology of risk-based controls and risk determination standards of the Health and Labor Inspection Body (HLIB) has been approved, whereas the checklist with control questions is still in the process of approval. Legislative improvements in the toolkit of trade unions have been postponed. The study of the RA Labor Code from the point of view of compliance with international obligations and standards is in progress. Whereas the draft law on making changes and additions to the RA Labor Code is in the amendment process. The process of introducing a complete and effective state control system over the fulfillment of the requirements of the labor legislation and fixing it in the legislation is in progress.

In the Sphere of the Right to Social Security and Minimal Living Conditions, "State Housing Assistance Programs for Families with Children for 2020-2023" have been approved and a decision on "Model form of the contract for the implementation of the state support program for housing support for families with children" has been taken. Implementation of a subsystem based on online applications to recalculate pensions for working pensioners has

been postponed. State pensions as of 31 December, 2019 increased from AMD 40,424 to AMD 44,120 as of 30 June, 2020, recording a 9.1% growth.

In the Sphere of Rights of the Child, a number of actions to raise awareness of the rights of the child have been implemented. A study to look into the compliance of the legislation on the sanitary conditions in educational, childcare and protection institutions for children with international standards has been conducted. Changes in the legislative acts defining the sanitary conditions have been introduced.

In the Sphere of Freedom of Economic Activity, the "Draft law on making changes and additions to the law on protection of economic competition" is currently at the stage of statelegal expertise. A number of measures have been taken to raise awareness of the EEU Customs Regulations, including the dissemination of information materials and videos, publication of information, etc.

In the Sphere of Strategic Communication, The Communication Plan for the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan has been developed and published.

# Introduction

Since its independence, the RA has approved and adopted various strategic legal acts to protect human rights in Armenia as well as to fulfil international commitments. Despite the infrequent importance, the problem of the improper implementation of those documents has always been raised. Partially, this is due to lack of appropriate monitoring and evaluation of the implementation procedures, both from the implementers and civic society sides. From these perspectives, the implementation monitoring of those strategic action plans as well as informing communities, citizens, and other stakeholders on the results of the monitoring are pivotal.

On 26 December 2019, the RA Government approved the National Strategy for the Protection of Human Rights and its Implementation Action Plan for the period of 2020-2022 (referred to as National Strategy or Human Rights National Strategy). Long-term goals of the Strategy and deriving Action Plans is efficient protection and safeguarding of human rights, implementation of a consistent public policy, the improvement of protection mechanisms for political, civil, economic, social and cultural rights, raising of the public awareness of human rights and their protection mechanisms, as well as outlining directions for a unified policy on human rights laying the groundwork for activities in the upcoming years.

Human Rights National Strategy covers 13 human right-related sectors. The sectors involved in the National Strategy include the right to life, prohibition of tortures, right to a fair trial, equality of rights, non-discrimination, right to health, right to education, freedom of expressing an opinion, right to employment, right to social security and minimal living conditions, right of the child, freedom of economic activity, strategic communication. In total the Implementation Action Plan includes 89 actions to be implemented during the different periods starting from 2020 till 2022. 44 actions are planned to be implemented starting from the 1st half of 2020, among them 8 actions are planned to be completed during the 1st half of 2020, 18 actions during the 2nd half of 2020 and 18 actions are planned to be implemented regularly during 2020-2022 (Table 1). The rest of the activities are to be implemented during 2021-2022. Thus, the number of actions to be monitored in this study is 44, some of which consist of several sub-actions.

Table 1. The number of action to be implemented under Implementation Action Plan of National Strategy per different assessment sectors and periods <sup>1</sup>

Assessment Sector	The number of actions for the period		
	1st half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020-2022
1. The right to life	1	3	5
2. Prohibition of tortures	1	3	1
3. Right to a fair trial	1	1	1
4. Equality of rights, non-discrimination	2	1	3

<sup>&</sup>lt;sup>1</sup> Only actions that start in the first or second half of 2020 are included

7

14. Total	8	18	18
living conditions			
13. Right to Social Security and minimal	1	0	0
12. Strategic communication	0	1	1
11. Freedom of economic activity	0	1	2
<b>10.</b> Rights of the child	0	2	1
living conditions			
9. Right to Social Security and minimal	2	2	0
8. Freedom of expressing an opinion	0	1	1
7. Right to education	0	2	0
6. Freedom of assembly	0	0	1
5. Right to health	0	1	2

<u>Promoting Direct Democracy for Strengthening Human Rights in Armenia Project</u> is designed to address certain activities relating to the National Strategy for the Protection of Human Rights and its Implementation Action Plan. Among these activities are:

- Study of the international experience on the methodology of the Human Rights National Strategy, CSO engagement in policy-making as well as effective monitoring tools of policy implementation.
- Public engagement in the policy implementation process.
- CSO-Government Dialogue Conference aimed at building consensus on the mentioned recommendations.
- Advocacy campaign, media coverage.

Along with the abovementioned activities, the Project also aims at monitoring of the National Strategy Implementation Action Plan and identification of the gaps and timeframe violations, if any. Based on the assessment results a monitoring report will be drafted and a package of recommendations will be submitted to the relevant governmental entities aiming at the improvement of the implementation of the National Strategy and human rights protection in general.

This document provides for the <u>monitoring results of Human Rights National Strategy</u> <u>Implementation Action Plan for 2020-2022</u> to be implemented within the framework of Promoting Direct Democracy for Strengthening Human Rights in Armenia Project.

In the first phase of the "Promoting of Straight Democracy for Strengthening Human Rights in Armenia" project, four online seminars and public discussions aimed at the presentation of the project and the discussion of the National Strategy for the Protection of Human Rights and the Action Plan for 2020-2022 Deriving from it. The seminar-public discussions included the main stakeholders of the three regions of Armenia: Lori, Shirak and Syunik marzes and the capital Yerevan, CSO and sectoral representatives and the parties responsible for the implementation of the Action Plan. During the seminar-public discussions, the main methodological approaches, which were the basis for the monitoring of the Action Plan, were presented as well.

The <u>research outputs</u> include an evidence-based report with recommendations on the monitoring results to be developed with the purpose to improve the RA National Strategy implementation and human rights protection in general. It is expected that the research outputs will be used by the relevant governmental entities for their informed decision making, as well as by the CSO sector as a tool for progress monitoring of the Action Plan to assess more effectively how far the Strategy goals and objectives are being achieved.

# Monitoring Methodology

# a) Monitoring Objectives

The <u>objectives of the monitoring</u> are to 1) assess the current state of The Action Plan implementation 2) identify the key areas where the established deadlines are violated 3) evaluate the Action Plan implementation procedure in terms of quality results of the actions for the selected target assessment sectors.

### b) Assessment matrix

The National Strategy Implementation Action Plan for the period of 2020-2022 includes three general categories of activities subject to this assessment in terms of their implementation period:

- Activities to be completed during the first half of 2020
- Activities to be implemented during the second half of 2020
- Activities to be implemented **periodically** during the entire period of the Action Plan (2020-2022).

The study of actions involved in the Implementation Action Plan, as well as the study of their result outputs and outcomes, gives us clear guidance that indicators to be developed for these action can be divided into three groups as specified below:

**Quantitative indicators** – generally address the activities which aim at reaching certain types of **quantitative outputs**. These indicators will address only output level results. For the activities to be completed during the first half of 2020 it is expected that the targeted results by the Action Plan should have been already reached. Accordingly, the actual results will be compared with the targeted ones and gaps will be identified, if any. For the activities to be implemented during the second half of 2020 and to be implemented periodically during 2020-2020 the progress will be assessed.

**Procedural indicators** - generally address the activities which aim at completion of certain types of procedures, e.g. submission of a draft of a legal instrument to the National Assembly, signing a convention, conduction of an analysis or study, etc. Procedural indicators also address **output level results**. For the activities to be completed during the first half of 2020 it is expected that the targeted procedures should have already been completed. Accordingly, the monitoring will record whether the procedures have been completed in a timely manner and whether there are any noncompliances with the defined timeline. For the activities to be implemented during the second half of 2020 and to be implemented periodically during 2020-2020 the progress/phase of the procedures will be defined. For instance, for submission of a draft of a legal instrument to the National Assembly the following stages/phases have been identified 1) Not initiated at all 2) Law amendments drafted 3) Publication on e-draft.am and public discussion 4) Submitted to the Parliament 5) Adopted by the Parliament 6)

Rejected by the Parliament 7) Included in the Agenda. Accordingly, the monitoring will identify which is the current state of the initiated procedure.

Qualitative indicators – are those generally addressing outcome level results and will aim at bridging the activities to be implemented within the framework of the Action Plan with the expected outcomes. These indicators will be assessed only for the activities to be completed during the first half of 2020.

Table 2. Assessment matrix

Reporting period	Types of indicators	The level of indicators
Activities to be completed during the first half of 2020	Quantitative indicators Procedural indicators Qualitative indicators	Output level indicators Outcome level indicators
Activities to be implemented during the second half of 2020	Quantitative indicators Procedural indicators	Output level indicators
Activities to be implemented periodically during entire period of Action Plan (2020-2022).	Quantitative indicators Procedural indicators	Output level indicators

### c) Assessment method

To reach the research purposes a <u>combination of mixed method</u> approach based on the qualitative and quantitative data is used. Data are collected from primary and secondary sources. Research methods include information inquiry, desk research/document review, focus group discussions (FGDs) with the stakeholders and Key Informant Interviews (KII). The field work activities have been implemented from July 2020 to August 2020.

Taking into account the current pandemic situation the organization of on-site face to face interviews and focus groups discussions have not been possible to implement. The discussions have been conducted online using Zoom portal. The sections below describe methods used during this study

# Desk Research/Document Review and Information Inquiry

Information on the quantitative and procedural indicators for the activities to be implemented during the first and second half of 2020, as well as those to be implemented periodically during 2020-2022 have been collected through Desk Research/Document review and information inquiry. These methods covers all **output level indicators**.

### Online Key Informant Interviews and Focus Group Discussions

<u>Outcome level indicators</u> have been assessed through qualitative research methods, particularly Key Informant Interviews (KII) and Focus Groups Discussions (FGDs) have

been carried out. This indicators include only those activities which have been implemented during the <u>first half of 2020</u> as only for those completed activities is it possible to assess some outcome level results.

In total, 7 activities have been planned to be completed during the first half of 2020 including the following assessment sectors: the right to life, prohibition of tortures, right to a fair trial, equality of rights and non-discrimination, right to employment. Along with this activities development of a communication plan for the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan is also planned to be completed during this reporting period. In addition, two actions, one to be implemented during the second half of 2020 and the other to be implemented regularly, of high research interest were also added to this list.

Key Informant interviews and Focus group Discussions were conducted with the focal points engaged in implementation of the actions of the National Strategy for the first half of 2020. Accordingly, KIIs and FGDs were conducted among the governmental entities responsible for the implementation of these activities as well as CSO representatives, public defenders and individual experts more active and expertise in those sectors. A total of 3 focus group discussions were held, out of which one was conducted with the representatives of government agencies, 2 with the representatives of Human Rights Defender office, the Chamber of Advocates, the Public Defender's Office, CSOs and public defenders, including both regional CSOs and CSOs located in Yerevan. 3 in-depth interviews / small group discussions were conducted with the representatives of the RA Ministry of Territorial Administration, the Ministry of Defense and the Police.

Table 3. Information on conducted in-depth interviews and focus group discussions

Method	Quantity	Target group	Number of participants
Focus group discussion	1	RA MoJ, RA MLSA, RA MESCS, Inspection Coordination Office	6
Focus group discussion	1	Human Rights Defender, Chamber of Advocates, Public Defender's Office, CSOs, Public Defenders	7
Focus group discussion	1	Regional CSOs	5
In-depth interview / small group discussion	1	RA MTAI	2
In-depth interview / small group discussion	1	RA Ministry of Defense	3
In-depth interview / small group discussion	1	RA Police	3

All qualitative interviews and discussions were recorded upon prior consent of the participants.

# Results of Monitoring of the National Strategy for the Protection of Human Rights and its Implementation Action Plan for the period of 2020-2022

Annotation: Data are provided by the target agencies as of August 1, 2020. The strategy stipulates a semi-annual reporting on the implementation of the APs, therefore, several state bodies have submitted information covering only APs to be implemented for the first half of the year and to be implemented regularly during 2020-2022. In some cases, information is provided on actions that are not intended to be implemented for the above-mentioned period, but some activities have been conducted by governmental agencies. In some cases, some activities have been implemented within the framework of several actions, however no information is provided on this regard with the logic that the reports will be submitted after the end of the relevant reporting period, in accordance with the Strategy.

# SPHERE 1: THE RIGHT TO LIFE

	1st half of	2 <sup>nd</sup> half of	Periodically 2020-
	2020	2020	2022
The number of action to be implemented	1	3	5
Out of which implemented	1	-	-
Out of which implemented partially	-	1	5
Out of which information not available	_	2	-

### **ACTIONS TO BE IMPLEMENTED DURING THE FIRST HALF OF 2020**

Action 8: To create support centers and shelters for survivors of domestic violence

Action 8 envisages establishment of 11 support centers and 2 shelters for victims of domestic violence by the RA MLSA during the first half of 2020. According to the information provided by the Ministry of LSA of RA, the Ministry has been implementing "Domestic Violence Support Centers Services" and "Domestic Violence Shelter Services" activities since 2020, within the framework of which support centers for victims of domestic violence have been established in all regions of the country and 2 shelters are operating in Yerevan. The programs are implemented through co-financing with the help of the RA state budget and different organizations.

According to the results of the focus group discussions with the representatives of the ministries, the activities on the establishment of support centers and shelters started in the second half of 2019. NGOs have been recruited and trained to provide services of the relevant support centers since 2020. The MLSA has signed a memorandum with the Women Support Center NGO for training provision, which has started to provide trainings to NGOs during the second half of 2019. An NGO selection Competition has been announced and selected NGOs have been able to provide support center services since 2020. From 2020, the services of support centers are available in all regions of Armenia. In Yerevan, support services are provided through SNCOs operating under the Ministry, as well as through sectoral NGOs in close partnership with the Ministry. The provision of services is delegated by the Ministry to NGOs and the medium-term expenditure program of the Ministry envisages the continuation of the service for the following years. Shelter services are delegated to the Women Support Center NGO, through which the Ministry co-finances two shelters.

According to the Ministry, the needs assessments for the provision of services were incomplete due to the limited available data and resources. Statistical data were collected from the Police, statistics on cases of violence in the regions were taken into account, and available data from partner organizations were used.

The types of services provided in the support centers and shelters are defined by law and are universal. Legal, psychological and social services are provided. According to the results of the focus group discussion, in addition to the legal social-psychological services, provision of which are stipulated by law, the centers try to provide other assistance to women as well through capacity building, healthcare and other types of activities based on the specific needs of the beneficiaries.

Ongoing evaluation of the provided services is carried out within the framework of various monitoring programs. According to the assessments of the employees of the Ministry, the program is still new; data will be available during the upcoming years and will enable evaluation of efficiency of the activities and identification of further actions. Currently the representatives of the Ministry assess the services provided in the support centers and shelters to be fully sufficient meeting the beneficiary needs.

During focus group discussion CSO representatives mentioned that there is some room for improvement in the field of combating domestic violence, particularly CSO representatives mentioned that pre-investigation bodies, judicial bodies are not prepared for preliminary investigation of the cases of domestic violence. During FGDs CSO representatives and public defenders highlighted the importance of child rights protection during domestic violence cases, which is especially actual in the regions, where the protection of children's interests with the involvement of public defenders is not yet at a sufficient level. CSO representatives noted that this area still needs legislative improvements.

No.	Action	Responsible bodies	Expected output		Reached output	
8.1.1	The number of support centers created during	RA MLSA	11 support	Monitoring results		11
	first half of 2020 (quantity)		centers	Target indicators		11
	The number of shelters created during first		2 shelters	Monitoring results	2	
8.1.2	half of 2020 (quantity)	RA MLSA	2 Shellers	Target indicators	2	

Accordingly, the Action 8 is implemented FULLY.

# **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

Action 5: To criminalize the domestic violence and the violence against women in accordance with international standards

Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
5	To criminalize the domestic violence and the violence against women in accordance with international standards	RA MoJ	The bill to introduce changes and amendments into the Penal Code submitted to the National Assembly	Information is not provided

# Action 6. To establish legislation on procedural guarantees of remedy for survivors of domestic violence and violence against women in accordance with international standard

Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
<b>6.1</b> To establish legislation on procedural		<b>ረረ ሀ</b> ኒ	An analysis conducted to look into the compliance of the Code of Criminal	Information is not
guarantees of remedy for survivors of		Procedure with international standards	provided	
	domestic violence and violence against		The bill to introduce changes and	
6.2	women in accordance with international standard	<b>44 U</b> U	amendments into the Code of Criminal Procedure submitted to the National	Information is not
	Standard		Assembly	provided

# Action 9. To adopt an action plan to fight domestic violence

The Action 9 envisages to adopt an action plan to fight domestic violence through a governmental decree. According to the information provided by the RA MLSA, based on the Point 9 of Annex N2 of the Government of the Republic of Armenia Decree No. 1978-L dated 26 December, 2019 and Article 12 of the Law of the Republic of Armenia "On Prevention of Domestic Violence, Protection of Victims of Domestic Violence and Restoration of Family Solidarity", The Ministry of Labor and Social Affairs of the Republic of Armenia has developed the "Action Plan for Combating Domestic Violence 2021-2023" and the draft Governmental decree on approving the measures for the implementation of the Action Plan" which currently is in the phase of departmental discussions. The draft will be presented for public discussion in the fall

No. Action Responsible bodies Expected output	t Reached output
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9	To adopt an action plan to fight domestic violence	ՀՀ ԱՍՀՆ	A governmental decree on approving the action plan to fight domestic violence passed	Departmental discussion stage
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Accordingly, the Action 9 is implemented **PARTIALLY**.

### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 1: To conduct a training (courses) on the right to life in compliance with international standards, including for commanding officers of the armed forces, military police personnel, investigators, prosecutors, judges, lawyers, and correctional facility staff

According to the Action Plan for 2020-2022 Deriving from National Strategy for the Protection of Human Rights, measures to be implemented regularly under the Action Plan include training on the topic of the right to life for Commanders of the Ministry of Defense of the Republic of Armenia (target indicator: 18% of commanders), military police officers (target: 17% of military police officers), investigators (target indicator: 8% of investigators), prosecutors (target indicator: 4% of prosecutors), judges (target indicator: 41% of judges), correctional facilities personnel (target indicator: 25% of personnel).

According to the information received from the Ministry of Defense, the training programs are currently being developed and studied with the involvement of international experts. An international expert has also developed a draft program on "Human Rights in the Armed Forces", which is planned to be introduced in the curricula of the Officers' Qualification Improvement Center (OQIC) of the Military University after V. Sargsyan and the Faculty of Command and Staff (FCS). The subject is currently being studied. The training courses at the Ministry of Defense are planned for August-December 2020. It is planned to include lectures on the right to life in the program of qualification improvement courses for officers to be held at the V.Sargsyan Military University and A.Khamperiants Military Aviation University of the RA Ministry of Defense, as a result of which, the officers involved in the training will be trained on the topic of the right to life as well. The training of officers and military police was not carried out due to the epidemic.

As for the training of investigators, prosecutors, judges and penitentiaries, which are under the jurisdiction of the Ministry of Justice, training topics are included in the 2020 training program of the RA Academy of Justice in various formats, however, due to COVID-19 no trainings were provided during the first half of 2020. Particularly, the topics of the right to life are included in the training program of the RA Academy of Justice for 2020, in the courses entitled "Current Issues of Application of ECHR Legal Positions in Criminal Cases" and "Current Issues of RA Criminal Law". Thus, though the trainings envisaged under this action have not been provided yet, but correspondent activities have been carried out by the relevant departments to include the topics in the training programs.

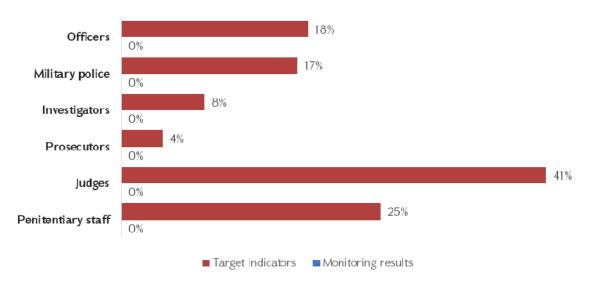


Figure 1. Action 1: Trainings on the right to life

Accordingly, Action 1 is implemented **PARTIALLY**.

# Action 2: To raise awareness of the right to life among military conscripts, military personnel, and imprisoned persons

According to the information provided by the Ministry of Justice, an information poster on the right to life was developed and published in cooperation with the Human Rights Ethics Center of the Council of Europe Office in Yerevan, which was delivered to military units, military commissariats. Posters on human rights (right to life, prohibition of torture) are posted in 45% of the Military units of the Armed Forces and in all territorial subdivisions of conscription and mobilization service (target indicator for 2020-2022 is 60%). Posters on the prohibition of torture are posted in 25% of the military units and territorial subdivisions of conscription and mobilization service.

Due to the epidemic situation, awareness-raising actions on the right to life have not yet been carried out in military units and military commissariats. However, according to the information provided by the Ministry of Defense, the heads of the Military units of the Armed Forces and territorial subdivisions of conscription and mobilization service have been instructed to provide conscripts with information on the right to life with the involvement of the lawyers of the units during the 2020 summer conscription, in particular, the fact that the right to life of every citizen/serviceman is protected by law.

6 information materials on human rights, including the means for the protection of human rights, were sent from the MF DMPS (Department of Moral and Psychological Support) to the military units of the Armed Forces to be included as information topics in the weekly work plans of the staff and schedules of subdivision. As for the number of video recordings, 3 videos on human rights in the Armed Forces have been developed and disseminated through the mass media.:

As for the awareness raising campaigns on the right to life in penitentiaries, implementation of which is under the jurisdiction of the Ministry of Justice, trainings are not provided during the first half of 2020 due to COVID-19 pandemic, and accordingly the targets set by this AP were not fulfilled.

No	Indicator	Responsible body		Monitoring output	
2.1	conscription offices exhibited with posters	RA Ministry of Defense	Monitoring results 45%	%	
2.1			Target indicators		60%
2.2	the number of awareness building activities dedicated to the right to life conducted in	RA Ministry of	Monitoring results	0	
2.2	the military bases and military conscription offices (quantity)	Defense	Target indicators		15

2.3	the number of sets of informational materials on human rights and legal	RA Ministry of	Monitoring results	6
2.3	remedies developed and disseminated in military bases and military conscription offices (quantity)	Defense	Target indicators 3	
2.4	the number of video recordings dedicated to human rights in the armed forces	RA Ministry of	Monitoring results	3
2.4	developed and disseminated through the mass media (quantity)	Defense	Target indicators	3
2.5	% of correctional facilities exhibited with the posters regarding human rights (%)	RA MoJ	Target indicator 100% Monitoring indicato	
2.6	the number of sets of informational materials on human rights and legal remedies developed and disseminated in correctional facilities (quantity)	RA MoJ	Target indicator 10 informational ma Monitoring indicator	terials
2.7	the number of video recordings dedicated to human rights in correctional facilities developed and disseminated through the mass media (quantity)	RA MoJ	Target indicato minimum 3 Monitoring indicat	

Accordingly, Action 2 is implemented **PARTIALLY**.

The first part of Action 3 envisages study of the causes of intolerance in the Armed Forces, their contributing factors and the ways to overcome them. According to the information provided by the Ministry of Defense, during the control and methodological assistance provided by the DMPS of the Armed Forces, sociological surveys were conducted among contract servicemen and conscripts, which were analyzed and the results were sent to the commanders of the military associations, formations and military units to carry out the necessary work. In order to create an atmosphere of tolerance among the servicemen, the officers of the DMPS of the Armed Forces carried out educational work for subdivision.

The second part of Action 3-h envisages conduction of psychological lectures in the 30% of Armed Forces of RA aimed at creating and strengthening an atmosphere of tolerance and mutual respect in the Armed Forces, however due to the pandemic situation, this measure was not implemented. Meanwhile according to the information provided by the Ministry of Defense, according to the order of the RA Minister of Defense, psychologist-officers will provide trainings from September 1 to November 28, within the framework of which a lecture on "Strengthening the atmosphere of tolerance and mutual respect" will be provided to psychologist-officers.

At the same time, according to the information provided by the Ministry of Justice, analytical material was sent to the Armed Forces to discuss the reasons for the occurrence of cases of non-statutory relations and the need to take effective measures. The topics of the psychologists' lectures are being developed within the framework of the action aimed at strengthening the atmosphere of tolerance and mutual respect in cooperation with the "ARAR" Civilizational Research Foundation.

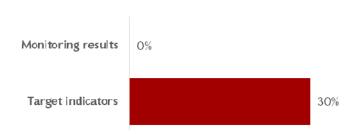


Figure 2. Action 3: Psychological lectures in the Armed Forces

Accordingly, Action 3 is implemented PARTIALLY.

Action 7. Training was offered on the subject of domestic violence and violence against women in line with international standards including to police officers, investigators, prosecutors, judges and medical personnel, representatives of educational institutions, and the staff of support centers for victims of domestic violence

The Police Educational Complex of RA has trained the Deputy Chiefs of Operations of the RA Police Regional Departments, Heads of Territorial Departments, Deputies of the Heads of the Service and Operative Departments, Heads of Criminal Investigation, Community Police and Juvenile and Domestic Violence Prevention Departments, Operative officers of the Criminal Investigation and Juvenile and Domestic Violence Prevention Departments; Juvenile and Domestic Violence Prevention Officers of relevant departments, as well as newly appointed mid-level staff: In total 78 employees.

The annual training programs of the RA Academy of Justice for 2020 include the courses on "Prevention and fight of domestic violence against women in Armenia" and "Characteristics of violence against children and its investigation". Within the framework of the "Prevention and Fight of Domestic Violence against Women in Armenia" program the relevant HELP online training course has been adapted as a result of which training was provided to investigators, prosecutors and judges.

According to the information provided by the Ministry of Labor and Social Affairs, all the staff of the Domestic Violence Victims Support Centers have received training in accordance with international standards. The training process started in 2019 and will continue in 2020. The training for the staff of the Support Centers for Victims of Domestic Violence are of regular nature; they will be carried out in 2020-2022. The first phase of training is planned for the fall of 2020. Due to the epidemic situation in the country, the remote option of the training is being discussed.

During the first half of 2020 no trainings was provided to the representatives of educational institutions due to the COVID-19 epidemic situation in the country.

40 senior and medium staff medical workers (family doctors, nurses, therapists) were trained at the RA Ministry of Justice "Academician S. Avdalbekyan National Institute of Health CJSC in 2020 and their educational programs included topics on domestic and violence against women. The Chair of Public Health Organization and Management of the RA Ministry of Justice "Academician S.Avdalbekyan National Institute of Health CJSC's has developed an improvement program for medical staff. The program includes educational materials related to the RA legislation on constitutional human rights and freedoms; the legal status of women and children; educational materials related to the RA legislation on the specifics of medical care and services for abused women and children; as well as legal mechanisms for the prevention of domestic violence. According to information provided by the Ministry of Health, about 6% of health workers (family doctors, therapists, nurses) were included in the training program on domestic violence and violence against women.

According to the information provided by the Ministry of ESCS, the specialists of the Republican Pedagogical Psychological Center (RPPC) were trained within the framework of a joint program implemented in cooperation with the Civil Society Institute NGO. In the future, it is planned to provide training for school teachers aiming at reduction of violence at schools. The RA Ministry of ESCS and World Vision Armenia international organization, in cooperation with RPPC, planned to conduct training courses for educators on the topic of Safe and Favorable School environment, aimed at reduction of bullying in 12 schools of the country.

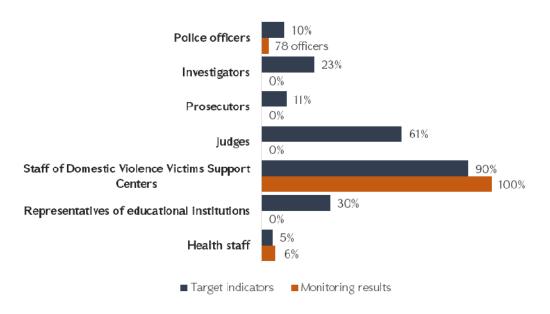


Figure 3. Action 7: Trainings on domestic violence and violence against women

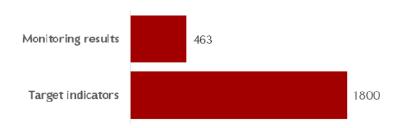
Accordingly, Action 7 is implemented **PARTIALLY**.

# Action 8.2 Enhancement of services for survivors of domestic violence and their dependents, if necessary

The second part of Action 8 envisages provision of legal services to 1,800 victims of domestic violence.

According to the information provided by the MLSA, starting from 2020 the relevant services stipulated by the law are provided to the victims of domestic violence in the support centers located in all regions of the Republic of Armenia. The service was delegated to the non-governmental organization which is recognized as the winner of the competition and was provided with relevant training" In accordance with the requirements of the law, the necessary support services are provided to victims of domestic violence and, if necessary, to those who are under their care. In the first half of 2020, about 463 people were assisted by NGOs providing services to domestic violence victims.

Figure 4. Action 8.2: Providing services to victims of domestic violence



Within the framework of the first program, legal and social-psychological services are provided to the victims of domestic violence. Assistance is short-terms and does not include care. The second program is designed to provide long-term support, including care, to victims of domestic violence and their children.

Accordingly, Part 2 of Action 8 is implemented PARTIALLY.

# SPHERE 2: PROHIBITION OF TORTURES

	1st half of	2 <sup>nd</sup> half of	Periodically 2020-
	2020	2020	2022
The number of action to be implemented	1	3	1
Out of which implemented	-	-	-
Out of which implemented partially	1	1	1
Out of which information not available	-	2	-

# **ACTIONS TO BE IMPLEMENTED DURING THE FIRST HALF OF 2020**

Action 20: To increase the number of rooms for asylum seekers

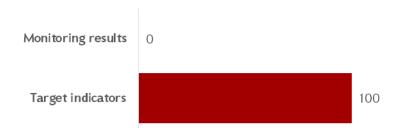
The Action 20 envisages to increase the number of rooms for asylum seekers for 100 during the first half of 2020. According to the monitoring results, the design-estimate documents of the new center are already developed. The Armenian office of the International Center for Migration Policy Development (ICMPD), which organizes the construction of the center, has issued a tender notice/invitation which was disclosed on ICMPD and public procurement websites. The tender for the construction works was announced in October of this year and was disclosed on the official website of the ICMPD office and on procurement websites of the Ministry of Finance. Due to COVID-19, the works related to the construction of the center deviate from the planned plan.

Asylum seekers currently live in the "Special Accommodation" SNCO, where the number of the rooms are limited. No need assessment was made on the number of rooms required. During the in-depth interview with Migration Service staff, they noted that in recent years there has been a growing trend in the number of asylum seekers, based on which a decision was made to build a new shelter. In particular, this need emerged back in 2012, when due to the war in Syria, the number of foreign citizens seeking asylum in Armenia has sharply increased. The need for a new shelter in the epidemic situation has not been assessed yet.

According to in-depth interviews, the minimum conditions in the shelters are currently provided: rooms are cleaned, asylum seekers are provided with food free of charge, a new food package is received every week. Kitchen and bathrooms are shared, asylum seekers do not pay utility bills.

Two non-governmental organizations operating in Armenia deal with the issues of asylum seekers. In particular, "Mission Armenia" NGO and Red Cross Armenia Office conduct need assessments of the shelters, provide social and legal assistance to asylum seekers. NGOs regularly submit proposals to the Migration Service aiming at improvement of the conditions of the shelters. According to the indepth interview, the Migration Service staff also conduct regular meetings and discussion with the residents of the shelters aiming at improvement of their housing conditions.

Figure 5. Action 20: The number of rooms to be increased for asylum seekers



Accordingly, Action 20 is implemented **PARTIALLY**.

### ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020

Action 12: To install video and audio recording equipment in police and military police stations of the Republic of Armenia

With this action it is planned to install video surveillance systems in 12 subdivisions of the RA Police. According to the monitoring results, video surveillance systems were installed in 11 subdivisions of the RA Police and were connected to the departmental network.

According to in-depth interviews with representatives of the RA Police, the process of video surveillance in police departments is regulated by the RA Law on Police, which has been amended to reduce the risks of torture, inhuman or degrading treatment within the framework of the protection of human rights. In addition to the amendments to the law, the orders of the Chief of Police No. 17-L and 18-L of 31 March were prepared with the involvement of the employees of the Legal Department in order to ensure the internal regulation and localization of the process. Order 17-L provides the technical task/parameters of the video recorders, which should be used to organize the video surveillance process, the list of police officers and departments that will be involved in the video surveillance process. A separate methodological guide has been developed by order 18-L, which is intended for the officers authorized to carry out the investigative function (operative officers, officers of juvenile and domestic violence prevention service, community police officers). The text of the above-mentioned orders is published on the website of the Police.

During in-depth interviews, police officers highly appreciated the effectiveness of the work done specifying that the required legal amendments were successfully completed, the deadlines are met and starting from 2020 May video recording and recording systems are available in police departments. The system was launched as a pilot in 10 police subdivisions: 5 territorial subdivisions of Yerevan

city, 5 subdivisions of four regions (two subdivisions of Shirak region, Aragatsotn, Lori, Kotayk regions). In each subdivision, two rooms are equipped with video surveillance devices (except for Bazum department of Lori region, where it is installed in one room).

According to the police officers, there are no separate furnished interrogation rooms in the police departments due to the overloaded office buildings; the video surveillance devices are installed in the rooms of the police officers. At present, the police undertakes measures to separate and furnish separate interrogation rooms. The installed video surveillance devices perform two separate functions: control of the entrances and exits of the department and proper video recording during the interrogations.

The police ensured the availability of a proper database of video recordings. An electronic database has been developed, which allows storing of the video material for a minimum period of two years stipulated by law. The police investigation department has been selected to manage the video recording database, an electronic system has been developed, which enables the video recordings to be properly stored on electronic devices.

The March 31 17-L order of the Chief of Police defines the list of subjects who have access to the recorded video materials, including the police officers who have the authority to conduct official investigations. One can enter the system as a result of simultaneous access of two police officers (in case of simultaneous typing of passwords), which excludes arbitrary access to the video database by one employee, editing or deleting of the videos, ensuring the protection of pre-trial secrecy and the right to protection of personal data.

During the in-depth interview, the police officers did not comment on the effectiveness of the system, noting that from the point of view of efficiency assessment, the launch period is not long and there is no statistical data yet. The "Investigative Reform Program" envisages monitoring and evaluating of the efficiency of the implementation of the installed system as of November. According to the results of the assessment, a decision will be made on the need to introduce this system in other police departments as well.

Monitoring results 11

Target indicators 12

Figure 6. Action 12: Installation of video recording systems in the police

Accordingly, Action 12 is implemented PARTIALLY.

Action 14: To establish legislation on applying the statute of limitations for cases of torture

Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
14	To establish legislation on applying the statute of limitations for cases of torture	RA MoJ	The bill introducing changes and amendments into the Penal Code submitted to the National Assembly for consideration	Information in not available

Action 19: To ensure that victims of torture have effective implementation mechanisms to exercise their rights to psychological, social and legal services

Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
19	To ensure that victims of torture have effective implementation mechanisms to exercise their rights to psychological, social and legal services	RA MoJ	The rules and procedures for victims of torture to exercise their rights to psychological, social and legal services improved and efficiently applied	Information in not available

# **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 26: Training was given on torture, inhuman or degrading treatment in accordance with international standards, including for police officers, military police officers, investigators, prosecutors, judges, mental health institution staff members and childcare institution staff members, correctional facility staff members, and medical personnel

According to the information provided by the Ministry of Defense, a training program has been developed by international experts within the framework of cooperation between the Ministry of Defense and the Council of Europe, but training on prevention of torture has not yet been conducted among military police officers due to anti-epidemic restrictions.

Regarding to training to be provided to investigators, prosecutors and judges within the framework of these activities, the training program "Current issues of application of ECHR legal positions on criminal cases" was included in the training programs of the RA Academy of Justice for 2020. The program covers as a separate topic the current case law of the ECHR on the protection of the prohibition of torture and other inhuman or degrading treatment, racism and discrimination, in the field of criminal law and litigation, as well as the issues of its application to the Republic of Armenia. 2020 annual training program for RA Special Investigation Service officers includes a course entitled "Criminal Legal Characteristics of Torture - Peculiarities of Investigation" within the framework of which the issues of protection of the right not being a subject to torture, inhuman or degrading treatment, the ECHR criteria for the investigation of cases of torture, the criminal-legal characteristics of torture, the peculiarities of its delimitation and classification from related crimes are studied. In the first half of 2020, 5 investigators of the RA Special Investigation Service were trained.

The training course entitled "Criminal Legal Characteristics of Torture and Peculiarities of Investigation" has been included in the training program of the RA Academy of Justice of 2020 for the training of Judges and Prosecutors. Within the framework of the course the issues of protection of the right not to be subjected to torture, inhuman or degrading treatment, the ECtHR criteria for the examination of cases of torture, the criminal-legal characteristics of torture, the peculiarities of its delimitation and qualification from related crimes are studied.

The RA Academy of Justice has developed and adapted to the RA legal system the "Prohibition of III-Treatment" HELP (Human Rights Education for Legal Professionals) distance learning course, Handbook on "Examining Cases Related to the Right to Life, Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", as well as the handbook "Criminal legal characteristics of torture and the manual intended for the implementation of its educational and methodological support. The Academy also held a seminar on "Effective Investigation of Torture, III-Treatment and Death in the Context of the Armed Forces."

The RA Ministry of Justice "Academician S. Avdalbekyan National Institute of Health CJSC's Chair of Psychiatry has developed an improvement program for medical workers on "The Impact of Violence on Mental Health". 35 senior and medium staff medical workers from different medical institutions of Armenia (7.8%) were trained at the Department of Psychiatry of the National Institute of Health after Avdalbekyan CJSC. About 90 family doctors (14.5%) participated in the "Psychiatry for family doctors-therapists" course at the National Institute of Health after Avdalbekyan CJSC.

The Ministry of Labor and Social Affairs of the Republic of Armenia together with "Save the Children" organization, within the framework of the "Improvement of Social Work and Improvement of Quality of Services for Children with Disabilities" program, conducted three-day trainings on the topic "Working with children affected by violence" for 77 psychologists, social workers, principals and social (and special) pedagogues (total 5.5%) of the child and family support centers operating in Syunik and Lori marzes and the city of Yerevan as well as 3 (three) day care centers for children operating in Yerevan and Gyumri.

Though the topics of training of medical workers and social workers are related to the topic of torture, inhuman or degrading treatment, but do not completely replace it, so in this respect the monitoring indicator was assessed as not implemented.

According to information provided by MLSA training of staff of the child care institutions on the topics of torture, inhuman or degrading treatment has not been provided during 2020 and the process of organizing trainings is still in progress. The staff of penitentiary institutions has not been provided with training due to pandemic situation.

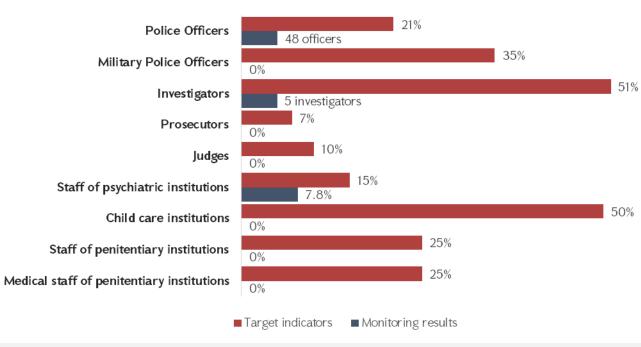


Figure 7. Action 26: Trainings on torture, inhuman or degrading treatment

Accordingly, Action 26 is implemented **PARTIALLY**.

# SPHERE 3: RIGHT TO A FAIR TRIAL

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	1	1	1
Out of which implemented	1	-	-
Out of which implemented partially	-	-	1
Out of which information not available	-	1	-

### **ACTIONS TO BE IMPLEMENTED DURING THE FIRST HALF OF 2020**

Action 29: To establish legislation setting forth clear standards for the use of bail as an alternative measure of pretrial restraint

Action 29 envisages to legislate the clear criteria for the use of bail as an alternative measure of pretrial restraint in the first half of 2020 and to introduce the draft law on making amendments to the Criminal Procedure Code to the National Assembly.

According to the information provided by MoJ, the "RA Law on Making Addenda and Amendments to the RA Criminal Procedure Code", adopted on 14 April, 2020, sets clear criteria for the use of bail as an alternative measure of restraint. In particular, as a result of legislative changes, the provisions of the RA Criminal Procedure Code have been harmonized with the legal positions expressed by the RA Constitutional Court Decision SDO-1480 of October 15, 2019, international legal documents guaranteeing personal liberty, as well as other criminal procedural norms related to precautionary measures have been improved, the norms that do not actually work in law enforcement practice have been repealed.

According to the Ministry, the draft law was developed with the broad involvement of non-governmental organizations, stakeholders and international organizations. Their opinions and suggestions have been taken into account, on the basis of which the draft law was amended. During the focus group discussion, the ministry representatives noted that no clear statistics is available on the extent to which bail has been used as an alternative measure of restraint for the recent period of time. However the ministry representatives state that they received positive feedback from the investigative and judicial bodies. The Ministry does not envisage keeping statistics related to the application of the law.

According to the representative of the Human Rights Defender's Office, the HDR's office referred to the issues of clear criteria for the use of bail as an alternative measure of restraint in the scope of both, the special opinion submitted to the Constitutional Court, as well as the opinion on legislative changes based on the RA Constitutional Court Decision SDO-1480 of 15 October, 2019. In particular, reference was made to the distressing practice of using detention, considering as a reason for it (detention) the problems of limited use of bail and imperfection of legislative structures. According to the HDR's representative, each year during the compiling work of the ombudsman's annual report, observations are made on the filing of petitions for arrest, in terms of their quantity and ratio to bail. According to the results of the annual report in December, it will be possible to assess the results of this legislative change and its practical application.:

During the focus group discussions, CSO representatives, public defenders and lawyers highlighted the role of these amendments to the law in relieving the workload of penitentiaries and courts. At the same time, they stated that in modern legal practice, the practice of applying bail only by a court decision is inadmissible. According to the above-mentioned participants, as a result of the effective implementation of these legislative changes, public confidence in the legal sphere will increase and the level of arbitrariness in the investigative bodies will decrease. CSOs also stressed the importance of differentiated monitoring of the implementation of this part of the law in Yerevan and the regions and the collection of statistical data. In the context of this issue, CSO representatives also raised the issue of reasonable timeframes for the examination of the case; in particular, noting that, regardless of the complexity of the case, the examination of the case takes from several months to several years, which leads to a violation of a person's right to a fair trial. Moreover, these violations also refer to the examination of cases in special proceedings, for which the legislation sets clear deadlines.

No.	Action	Responsible bodies	Expected output	Reached output
29	To establish legislation setting forth clear standards for the use of bail as an alternative measure of pretrial restraint	RA MoJ	The bill to introduce changes and amendments into the Code of Criminal Procedure submitted to the National Assembly	The RA Law on Making Amendments to the RA Criminal Procedure Code was adopted in 2020. on April 14

Accordingly, Action 29 is implemented FULLY.

# **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

# Action 38: Improve personal data protection mechanisms

Information is not provided by RA MoJ:

No.	Action	Responsible bodies	Expected output	Reached output
38.1	Improve personal data protection mechanisms	RA MoJ	To conduct a study into existing deficiencies of personal data processing from the perspective of best international practices	Information in not available

<b>38.2</b> RA MoJ	To submit recommendations to the staff of the Prime Minister based on the results of this study	Information in not available
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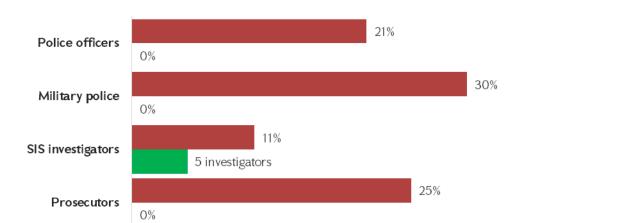
## **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 34: To conduct training on the right to a fair trial in compliance with international standards, including for police officers, military police officers, investigators, prosecutors, and judges

In the second quarter of 2020, trainings on the right to a fair trial were planned to be held at the RA Police Educational Complex, but due to the spread of the coronavirus (COVID-19) epidemic in the Republic of Armenia, according to the instruction of the Acting Chief of Police of 12.03.2020, the distance learning and training courses were temporary suspended until a special instruction.

No training was provided for military police officers either. Currently, within the framework of the 2nd stage of the RA Ministry of Defense and CoE cooperation program, it is planned to develop a training course program with involvement of international experts.

As for the training of investigators, judges and prosecutors, the 2020 training program of the RA Academy of Justice includes courses on topics "Current Issues of Application of ECtHR Legal Positions In Criminal Cases", "Current issues of the RA Criminal Procedure", "Current issues of the RA Administrative Procedure", "Current issues of the RA Civil Procedure", within the framework of which, among other things, the legal relations related to the fair examination of the case in the criminal, administrative and civil law spheres and the issues of ensuring the right discussed in those proceedings were considered as well. The training program entitled "Current Issues of Application of ECtHR Legal Positions in Criminal Cases" included in the 2020 program envisages the current case law of the ECtHR on the protection of the right to a fair trial and the issues of its application to the Republic of Armenia as an independent topic. At the same time, 5 investigators of the RA Special Investigation Service were trained on this topic in the first half of 2020.



■ Target indicators ■ Monitoring results

41%

Figure 8. Action 34. Trainings on the right to a fair trial

Judges

0%

Accordingly, Action 34 is implemented **PARTIALLY**.

# SPHERE 4: EQUALITY OF RIGHTS, NON-DISCRIMINATION

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	2	1	3
Out of which implemented	-	-	-
Out of which implemented partially	2	-	3
Out of which information not available	-	1	-

Action 39: To establish legislation defining the concept and types of discrimination, protection avenues, and mechanisms, as well as guarantees for establishing and operating an entity to deal with issues of equal rights in compliance with international standards

According to the information provided by MPJ: according to the outgoing letter of the RA Ministry of Justice dated 17 February, 2020 number /10.2/3421-2020, the draft law was submitted to the RA Prime Minister's Office. On 22 May, 2020, the Office of the Prime Minister of the Republic of Armenia instructed to amend the Draft Law. The draft is currently in the process of finalization.

In particular, a study of the international best practices of equality bodies was carried out, as a result of which it was proposed to fix in the draft the ombudsman's right to discuss complaints in the field of equality, not only in the public sector but also in the private sector, as well as to establish the right to apply to court, based on the international standards of the field and the assessments of 8 international organizations related to Armenia. The proposals and the reference on the study of international experience were presented and discussed in a working order with the partners of the RA Ministry of Justice.

During the focus group discussion, the HRD office representative noted that the HRD office presented his views and opinion on these legislative changes, exchanged experiences with the Georgian Public Defender's Office, and studied international best practices. According to the HRD representative, in parallel with the establishment of a body dealing with discrimination complaints, it is necessary to conduct public awareness campaigns to raise awareness about this body, which will increase the effectiveness of the fight against discrimination. From the point of view of increasing efficiency, the HDR representative also stressed the importance of providing the competent body the right to apply to the court in cases of discrimination, as a result of which it will be possible to make the non-binding, advisory decision of the competent body on discrimination, subject to mandatory execution, on the basis of a relevant judicial act.

During the focus group discussion, the HRD office representative noted that the HRD office presented his views and opinion on these legislative changes, exchanged experiences with the Georgian Public Defender's Office, and studied international best practices. According to the HRD representative, in parallel with the establishment of a body dealing with discrimination complaints, it is necessary to conduct public awareness campaigns to raise awareness about this body, which will increase the effectiveness of the fight against discrimination. From the point of view of increasing efficiency, the HDR representative also stressed the importance of providing the competent body the right to apply to the court in cases of discrimination, as a result of which it will be possible to make the non-binding, advisory decision of the competent body on discrimination, subject to mandatory execution, on the basis of a relevant judicial act.

No. Action Responsible bodies Expected output Reached output
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39	To establish legislation defining the concept and types of discrimination, protection avenues, and mechanisms, as well as guarantees for establishing and operating an entity to deal with issues of equal rights in compliance with international standards	RA MoJ	The bill of the Law on Equality of Rights submitted to the National Assembly for consideration	The Draft is in amendment process
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Accordingly, Action 39 is implemented **PARTIALLY**.

### Action 45: To establish legislation on the protection of the rights of persons with disabilities and guarantees of their social inclusion

The Action 45 envisages to establish legislation on the protection of the rights of persons with disabilities and guarantees of their social inclusion. The implementing bodies of this action are the RA Ministry of Labor and Social Affairs, the RA Ministry of Health  $\mu$  the RA Ministry of Education, Science, Culture and Sports. Action consists of two sub-actions, which are planned for the first half of 2020 1) to submit the bill of the Law on Persons with Disabilities of the Republic of Armenia to the National Assembly for consideration 2) to submit the bill of the Law on the Assessment of a Person's Functionality to the National Assembly for consideration

In order to comply with the provisions of the UN 2006 Convention on the Rights of Persons with Disabilities and taking into account final observations on the implementation of the Convention May 8 CRPD / C / ARM / CO / 1 of the 2017 resolution of the UN Committee on the Rights of Persons with Disabilities, the bill of the Law on Persons with Disabilities of the Republic of Armenia has been drafted and circulated in accordance with the established procedure, enshrining principles based on human rights. The state guarantees under the draft law to create necessary conditions and equal opportunities for people with limited possibilities to live independently and to be included in the community with others. In order to ensure accessible and equal conditions for persons with disabilities, the draft sets out provisions to prohibit discrimination on the grounds of disability and to ensure access to the physical environment, information and communication. The draft law was sent to the departments and interested non-governmental organizations. The received proposals were summarized, as a result of which the amended draft law "On the Rights of Persons with Disabilities" and Draft Laws of the Republic of Armenia "On Making Amendments to the Code of Administrative Procedure of the Republic of Armenia" in the package with the letter 08.06.2020 N ZB / AK-2-1 / 36973-2020 were submitted to the Office of the Prime Minister of the Republic of Armenia.

In order to provide a legal basis for the introduction of a new model of disability assessment based on human rights, the bill of the Law on the Assessment of a Person's Functionality has been developed and put into circulation in accordance with the established

procedure. It was presented to the RA Prime Minister's Office as well. The draft law was submitted to the RA Prime Minister's Office by letter 08.06.2020 N ZB / AK-2-1 / 36973-2020.

According to the focus group discussion with the ministry, the elaboration of the law has a rather long history and started in 2016. It went through many stages and international experts were also involved in the drafting of the law, and presented their opinions on different versions of the draft. The draft has been submitted for public discussion several times. After presenting it to the Prime Minister's Office, the draft was sent back to the Ministry for amendment. After the amendment, the draft laws will be submitted to the Prime Minister's Office once again, after which it will be sent to the National Assembly. According to the assessments of the Ministry of Labor and Social Affairs, the process will be completed by the end of the year. According to the Ministry, the draft law is presented in a package, including the draft law "On Protection of the Rights of Representatives of National Minorities", which makes the process more comprehensive and complex. During the focus group discussions, the CSO representatives pointed out that due to the non-adoption of the above-mentioned legislative changes in the field of protection of the rights of persons with disabilities and guarantees of social inclusion, persons with disabilities are still unable to fully exercise their rights.

No.	Action	Responsible bodies	Expected output	Reached output
45.1	To establish legislation on the protection of the rights of persons with disabilities and guarantees	RA MLSA, RA Ministry of Health, RA MESCS	The bill of the Law on Persons with Disabilities of the Republic of Armenia submitted to the National Assembly for consideration	Submitted to the Staff of RA Prime- Minister
45.2	of their social inclusion	RA MLSA, RA Ministry of Health, RA MESCS	The bill of the Law on the Assessment of a Person's Functionality submitted to the National Assembly for consideration	Submitted to the Staff of RA Prime- Minister

Accordingly, Action 45 is implemented **PARTIALLY**.

Action 47: Ensure the involvement of persons with disabilities including persons with mental health problems in decision-making that affects them

No information was provided by the Ministry of Justice.

No.	Action	Responsible bodies	Expected output	Reached output
47.1	Ensure the involvement of persons with disabilities including persons with	RA MoJ	A study conducted to look into existing legal deficiencies in the field and the means to overcome them	Information is not available
47.2	mental health problems in decision- making that affects them	RA MoJ	The bill introducing changes and amendments into the Civil Code submitted to the National Assembly for consideration	Information is not available

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 40: Training was given on equality of rights and non-discrimination

Within the framework of this activity training will be given on equality of rights and non-discrimination to police officers, investigators, prosecutors, judges, medics, social workers and education workers. The activities carried out within the framework of the action are presented below.

The Heads of the territorial divisions of the regional departments of the RA Police, Deputy Heads of Operations, Heads of Criminal Investigation and Juvenile and Domestic Violence Prevention Departments, as well as newly appointed mid-level staff were trained at the RA Police Educational Complex; a total of 47 employees.

Training has been provided to investigators, prosecutors and judges. The topic of training has been included in the annual training program of the RA Academy of Justice in 2020 in certain formats in the course ("Current issues of application of ECHR legal positions

in criminal cases", "Current issues in ensuring equality and non-discrimination") in the framework of which the topics related to the current case law of the ECHR on the prohibition of racism and discrimination, as well as the issues of its application to the Republic of Armenia are studied.

Some topics related to the provision of equality and the prohibition of discrimination are also addressed within the framework of the course entitled "Current Trends in the Science of Constitutional Law and Constitutional Justice of the Republic of Armenia" included in the program of 2020.

According to the information provided by the Ministry of Health, capacity building trainings provided to 8% of health workers (family doctors, therapists, and nurses) included topics of equality and non-discrimination.

No training was provided to education workers during the first half of 2020 due to COVID-19 pandemic situation in the country.

The course "Social Work with the Elderly" was introduced for the social workers. The course included the topics "Social Protection Strategy for the Elderly and its Implementation Action Plan for 2017-2021" and "Legislation regulating the sector and services provided to the elderly and disabled." 24 social workers and psychologists of nursing homes of the Ministry of Labor and Social Affairs and NGOs attended the training. The course "Peculiarities of care for the elderly" includes the topics "Terms and conditions for providing care and rehabilitation assistance to the elderly or disabled" and "Legislation in the field of social protection of the elderly and the disabled in Armenia, services provided to the elderly and disabled": 22 nurses and paramedics of the RA Ministry of Labor and Social Affairs of nursing homes of the Ministry of Labor and Social Affairs and NGOs attended the training. According to the information provided by the RA MLSA, 60% of the social workers of one institution providing child care and protection have been trained on the topic of equality and non-discrimination in 2020. Trainings for social workers of the remaining institutions will be organized in the near future.

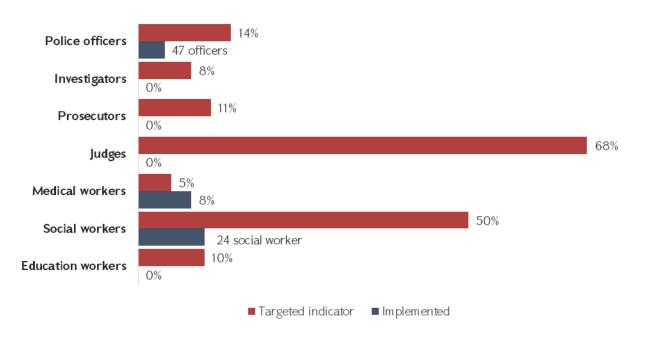


Figure 9. Action 40: Training on equality of rights, non-discrimination

Accordingly, Action 40 is implemented **PARTIALLY**.

#### Action 41: To raise awareness on equality of rights and prohibition of discrimination on any grounds

This action envisages development and dissemination of informational materials, video-materials, and conduction of awareness-raising campaigns on equality of rights and prohibition of discrimination including on legal remedies.

According to information provided by MoJ with the financial support of the European Union, UNDP, UN Population Fund, UNICEF, within the framework of the "Protection of Human Rights in Armenia" program 2 informational video-recordings have been developed and disseminated including television, 300 samples of posters and flyers have been printed and disseminated, advertising billboards are posted.

Actions have been carried out by the RA Human Rights Defender's Office. In the period from March 8 to April 7, the Human Rights Defender launched a public awareness campaign for women's success stories, which aimed to break stereotypes about the role of women in society and inspire society with success stories. The awareness campaign was carried out under the hashtags #Set\_an\_example in Armenian and English languages. As a result of the cooperation, the videos were also shown on the Public TV's "Aravot Luso" program, as well as spread through the media and social networks. Within the framework of the campaign, the Defender also offered the public to join in spreading the #Set\_an\_example call and to send women success stories to the address ombuds@ombuds.am. 38 stories were received from both individuals and NGOs within the framework of the call.

No.	Indicator	Responsible body		Monitoring results	
41.1	the number of sets of informational materials on equality of rights and non-	RA MoJ	Monitoring results	1	
••••	discrimination including on legal remedies developed and disseminated (quantity)	Tarmer	Target indicators		3
41.2	the number of video recordings dedicated to the equality of rights and non-	RA MoJ	Monitoring results	2	
	discrimination developed and disseminated through the mass media (quantity)		Target indicators		3



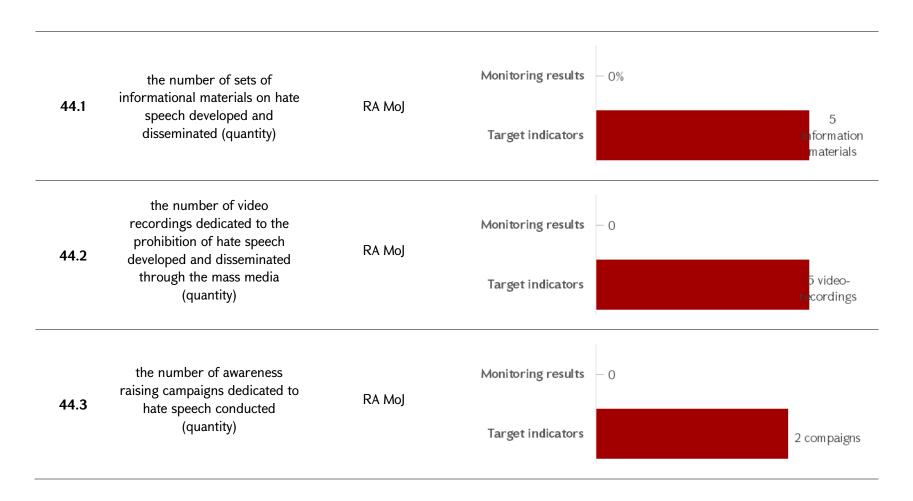
Accordingly, Action 41 is implemented **PARTIALLY**.

#### Action 44: To raise awareness of hate speech

Action 44 envisages the development and dissemination of information and video materials on hate speech, and conduction of information campaigns. These planned actions have not yet been implemented.

Within the framework of the regional project "Strengthening the access to justice through non-judiciary redress mechanisms for victims of discrimination, hate crime and hate speech in Eastern Partnership countries" it is planned to carry out an awareness campaign on hate speech, its negative consequences, dissent and the need to respect the right to freedom of expression in cooperation with the Office of the Human Rights Defender of the Republic of Armenia in 2020-2021. Currently, the preparatory works of the awareness campaign are being carried out together with the RA Human Rights Defender's Office; the concept of the campaign is being developed.

No.	Indicator	Responsible body	Monitoring result	



Accordingly, Action 44 is implemented **PARTIALLY**.

## SPHERE 5: RIGHT TO HEALTH

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	1	2
Out of which implemented	-	1	1
Out of which implemented partially	-	-	1

No actions are envisaged.

#### ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020

#### Action 50: To increase the number of institutions offering psychiatric and rehabilitation services to children

The action envisages establishment of 1 support center offering rehabilitation services to children founded.

According to the information provided by the Ministry of Health, with the support of World Vision Armenia, an international development and charitable organization, the Chambarak Rehabilitation Center is being renovated and equipped. Staff recruitment and capacity building activities are almost completed. In addition with the support of the Jinishian Memorial Foundation, the construction and renovation of the Sevan Rehabilitation Center are completed, the center has been equipped, furnished as well as the staff has been recruited. The staff trainings started on August 20 of this year and will end on November 20.

No.	Action	Responsible bodies	Expected output	Reached output
50	To increase the number of institutions offering psychiatric and rehabilitation services to children	RA Ministry of Health	1 support center offering rehabilitation services to children founded	Renovation, furnishing and staffing of two child rehabilitation centers was carried out

Accordingly, Action 50 is implemented FULLY.

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

#### Action 49: To raise the public awareness on medical services guaranteed by the state

Under this activities the list of medical services guaranteed by the state should be posted in 150 medical institutions of the country. According to the information provided by the Ministry of Health, pursuant to the Order No. 3963-A of the Minister of Health of 27 December, 2019, on "On posting posters in a format approved by the order of the Minister of Health in a medical organization providing free and preferential medical services and services guaranteed by the state in a place visible to the population", awareness posters were posted in 184 medical organizations providing medical care and services within the framework of the state order.

No.	No.	Action	Responsible bodies	Expected output
49	To raise the public awareness on medical services guaranteed by the state	RA Ministry of Health	The list of medical services guaranteed by the state posted in 150 medical institutions	The list of medical services guaranteed by the state is posted in 184 medical institutions

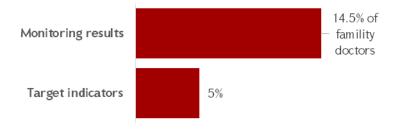
Accordingly, Action 49 is implemented **FULLY**.

#### Action 55: To conduct training on specifics of the medical assistance and care for persons with disabilities

The Action 55 envisages conduction training on specifics of the medical assistance and care for persons with disabilities among 5% of health workers.

According to the monitoring report provided by the Ministry of Justice, "Academician S. Avdalbekyan National Institute of Health CJSC's Chair of Public Health Organization and Management has developed an educational program for medical workers, which includes the legal basis for the rights of persons with disabilities, medical care and services, the acquisition of medicines and the doctor-disability relationship, medical-legal and bioethical regulations. Topics on specifics of the medical assistance and care for persons with disabilities are included in the training module of family doctors, within the framework of which 90 family doctors are provided with trainings. Thus, the trainings are provided to 14.5% of family doctors during the first half of 2020.

Figure 10. Action 55: Trainings on specifics of the medical assistance and care for persons with disabilities



Ministry of Health did not provide information on this Action.

Accordingly, Action 55 is implemented **PARTIALLY**.

## SPHERE 6: FREEDOM OF ASSEMBLEY

	1st half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	0	1
Out of which implemented	0	0	0
Out of which implemented partially	0	0	1

No actions are envisaged.

#### **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

No actions are envisaged.

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 57: To organize training on the international standards of the freedom of assembly

One of the regular actions to be taken in the field of freedom of assembly during 2020-2022 is the training of police officers on freedom of assembly, targeting 24% of the police officers. According to the information provided by the Police, as of July 31, 2020, 81 police officers have been trained on the topic of freedom of assembly<sup>2</sup>.

Monitoring results 81 officers

Target indicators 24%

Figure 11. Action 57: Trainings on freedom of assembly

Accordingly, the Action 57 is implemented **PARTIALLY**.

 $<sup>^{\</sup>rm 2}$  Police did not provide indicator in percentage

## SPHERE 7: RIGHT TO EDUCATION

	1st half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	2	0
Out of which implemented	-	-	-
Out of which implemented partially	-	1	-
Out of which information not available	-	1	-

No actions are envisaged.

#### ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020

Action 60: To establish legislation on enhancing the mechanisms to exercise the right to education for identification and registration of children dropped out of school

According to the information provided by the Ministry of Education and Science of the Republic of Armenia on this action, the Ministry developed and through the letter No. 01 / 09.1 / 26422-2020 of October 2 submitted to the Office of the Prime Minister of the Republic of Armenia draft decision of the RA Government "On Defining the Procedure for Identifying and Referral of Children Left Out of Compulsory Education".

No.	Action	Responsible bodies	Expected output	Reached output
60	To establish legislation on enhancing the mechanisms to exercise the right to education for identification and registration of children dropped out of school	RA MESCS	Ordinance by the Minister of Education, Science, Culture and Sport of the Republic of Armenia issued to regulate the identification and registration of children dropped out of school and their engagement in education	Submitted to the Staff of RA Prime-Minister

Accordingly, the Action 60 is implemented **PARTIALLY**.

#### Action 61: A strategy and an action plan to ensure inclusive education have been adopted for all educational levels

Action 61 envisages the adoption of strategy and an action plan to ensure inclusive education have been adopted for all educational levels, including the introduction of an inclusive education data collection monitoring mechanism; training given to 40% of teachers

with new training modules, newly constructed educational institutions have a universal architectural design / 10% of general education institutions adapted to a universal architectural design.

According to the information provided by the Ministry of Education and Science of the Republic of Armenia, the protocol decision of the Government of the Republic of Armenia of 18 February, 2016 approved the "Action Plan and Schedule for the Implementation of the Inclusive Education System" in the field of general education. The Ministry did not provide additional information on the work done in 2020 on the above two issues.

No.	Action	Responsible bodies	Expected output	Reached output
61.1	A strategy and an action plan to ensure	RA MESCS	A mechanism for data collection and monitoring of inclusive education put in place	No information is available
61.2	<ul> <li>inclusive education have been adopted for — all educational levels</li> </ul>	RA MESCS	Newly constructed educational institutions have a universal architectural design	No information is available

The Ministry of Education and Science of the Republic of Armenia and USAID are jointly implementing the "Strengthening Inclusive Education System in Armenia" program, which aims to provide physical access to children with special educational needs (SEN) in targeted schools, and provide quality, effective pedagogical and psychological support services at school on regional and local levels. As a result of the project implementation, it is envisaged to have about 100 resource rooms with renovated and necessary equipment and didactic materials and 5 Territorial Pedagogical-Psychological Support Center (TPPSC). At present, the construction works have been completed in 9 secondary schools and 1 TPPSC of Syunik marz.

As for the trainings of teachers with new modules, in the context of the transition to general inclusion in the general education system in Kotayk and Gegharkunik marzes of the Republic of Armenia within the framework of "Family Environment and Community Services for Armenia" program, "Bridge of Hope" NGO trained 452 pedagogues of Gegharkunik marz and 386 pedagogues of Kotayk marz with the modules guaranteed by the RA Ministry of Education and Science. 3358 pedagogues were trained within the framework of trainings on inclusive education conducted by the Republican Pedagogical Psychological Center (RPPC). 1915 teachers and teacher's assistants were trained within the framework of the inclusive education training program in the scope of the program "Ensuring the development of teaching skills of secondary school teachers and teacher's assistants." In general, 6111 teachers and teacher's assistants

were trained. However, the information provided by the Ministry of Education Science, Culture and Sport of the Republic of Armenia does not detail whether these trainings were carried out in 2020 or earlier.

Indicator	Responsible bodies		Monitoring output	
10% of general education institutions adapted to a universal architectural design	RA MESCS	Monitoring results	9 general educational institution	
ai ointooturai aosigii		Target indicators		10%
			6111 teachers	
A strategy and an action plan to ensure inclusive education have	RA MESCS	Monitoring results	and assistants	
been adopted for all educational levels		Target indicators		40%
	10% of general education institutions adapted to a universal architectural design  A strategy and an action plan to ensure inclusive education have been adopted for all educational	10% of general education institutions adapted to a universal architectural design  A strategy and an action plan to ensure inclusive education have been adopted for all educational	10% of general education institutions adapted to a universal architectural design  A strategy and an action plan to ensure inclusive education have been adopted for all educational  Monitoring results  Target indicators  Monitoring results  RA MESCS	10% of general education institutions adapted to a universal architectural design  RA MESCS  Target indicators  Monitoring results  Target indicators  6111 teachers and assistants  Framework inclusive education have been adopted for all educational

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

No actions are envisaged.

# SPHERE 8: FREEDOM OF EXPRESSING AN OPINION

	1st half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	1	1
Out of which implemented	-	-	-
Out of which implemented partially	-	-	1
Out of which information not available	-	1	-

No actions are envisaged.

#### ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020

Action 66: To sign the Council of Europe Convention on Access to Official Documents

Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
66	To sign the Council of Europe Convention on Access to Official Documents	RA MoJ	The convention signed	Information is not available

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 65: To conduct training on the human right to receive information with reference to domestic legislation and international standards

Action 65 envisages conduction of trainings on the human right to receive information with reference to domestic legislation and international standards. RA MoJ is implementing body for this action. According to the information provided by MoJ within the framework of this action, the training program on the right to information has already been discussed by the Office of the Prime Minister of the Republic of Armenia in line with internal legislation and international standards. The trainings will be implemented from September 2020.

Figure 12. Action 66: Training on the human right to receive information



Accordingly, the Action 65 is implemented **PARTIALLY**.

## SPHERE 9: RIGHT TO EMPLOYMENT

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	2	2	0
Out of which implemented	-	-	-
Out of which implemented partially	1	2	-
Out of which postponed	1	-	-

Action 73: To pass legislation defining the methodology of risk-based controls by the Health and Labor Inspectorate and the general description of risk determination standards as well as the checklist with control questions

The Action 73 envisages to pass legislation defining the methodology of risk-based controls by the Health and Labor Inspectorate and the general description of risk determination standards as well as the checklist with control questions during the 1st half of 2020. Inspection Bodies' Coordination Bureau is implementing body of this action.

According to the information provided by the Inspection Bodies' Coordination Bureau the general description of the criteria for determining the risk-based inspections carried out by the Health and Labor Inspection Body of the Republic of Armenia has been approved by the of 22 August 2019 Decision N 1124-N of the Government. By the Decision of the Government N 718-N of 30 April, 2020, the general description of the criteria for determining the methodology and risk-based inspection of the Health and Labor Inspectorate, the checklist of questions included in the inspections were defined, including the checklist for inspections in the field of health and safety of workers. At the same time, drafts of other checklists based on risk-based inspections carried out by the Health and Labor Inspectorate are under development and will soon be submitted to the Government for approval.

According to the results of focus group discussions with the staff of the Health and Labor Inspectorate the inspection body has the list of organizations that should be supervised. Under this action, legal acts will be circulated in state agencies and public discussions will be conducted.

No.	Action	Responsible bodies	Expected output	Reached output
73	To pass legislation defining the methodology of risk-based controls by the Health and Labor Inspectorate and the general description of risk determination standards as well as the checklist with control questions	Inspection Bodies' Coordination Bureau	The legislative instrument on approving the methodology of risk based controls by the Health and Labor Inspectorate and the general description of risk determination standards as well as the checklist with control questions adopted	Risk-based inspection methodology and general description of risk criteria is approved  Checklists are in the approval process

Accordingly, the Action 73 is implemented **PARTIALLY**.

#### Action 74: To pass improved legislation on the toolset for the activities of professional associations (trade unions)

Action 74 envisages to pass improved legislation on the toolset for the activities of professional associations (trade unions) the deadline for which is the first half of 2020 according to the National Strategy Action Plan. According to the results of the focus group discussion with the representatives of the

Ministry, the deadline for the implementation of this action does not correspond to the deadlines set by the Ministry in the government program. Therefore, changes were initiated and the deadline for implementation of the action was extended to the second half of 2021, by the Government Decision 992-L of 18 June, 2020; thus matching the term of the action with the terms set out in the government program. No work has been done within the framework of the action yet.

No.	Action	Responsible bodies	Expected output	Reached output
74	To pass improved legislation on the toolset for the activities of professional associations (trade unions)	RA MLSA	The bill introducing changes and amendments into the Law on Trade Unions submitted to the National Assembly for consideration	Action is postponed

Thus, the term of Action 74 has been POSTPONED to the second half of 2021.

#### **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

Action 70: To establish legislation on simplified procedures for the regulation of labor relations in compliance with international standards

This Actions envisages to establish legislation on simplified procedures for the regulation of labor relations in compliance with international standards. Under this activity a study is envisages to be conducted to look into the compliance of the Labor Code of the Republic of Armenia with international commitments and standards and to submit the bill introducing changes and amendments into the Labor Code to Prime-Minister office.

According to the information provided by the RA Ministry of Labor and Social Affairs, the RA Labor Code is in line with the international obligations undertaken by the RA to extent possible. However, taking into account the continuity of the process, in 2021 a draft of amendments to the RA Labor Code is envisaged, one of the directions of which is the harmonization of the RA labor legislation with the international obligations undertaken by the RA. According to the information provided by the Ministry, a number of studies are currently being carried out for this purpose.

According to Appendix 1, Point 4, Sub-Point 4.1 of the RA Government Decision N 650-L of 16 May, 2019, the RA Ministry of Labor and Social Affairs, the draft decision of the Government of the Republic of Armenia "On approving the concept of the amendments to the Labor Code of the Republic of Armenia" was developed and submitted to the Office of the Prime Minister of the Republic of Armenia in accordance with the established procedure after its official circulation and which currently is in the amendment phase. The objective for the adoption of the draft is to point out the problems that have arisen in the legal practice of the RA Labor Code, their reasons, as well as inconsistencies between the requirements of international agreements ratified by the Republic of Armenia and the current regulations of the Labor Code of the Republic of Armenia, and suggest the main directions for

solving these problems. After the adoption of the draft, the elaboration of a corresponding draft amendments and additions to the RA Labor Code is envisaged.

According to in-depth interviews with employees of the Ministry of Labor and Social Affairs, the harmonization of labor legislation with international norms is an ongoing process and in general, the legislative framework in Armenia is quite in line with international norms. However, some norms and sub-law norms need to be amended, which will be implemented as a result of legislative changes.

No.	Action	Responsible bodies	Expected output	Reached output
70.1	To constitute to signature on	DAMICA	A study conducted to look into the compliance of the Labor Code of the	The short is in the more
70.1	To establish legislation on simplified procedures for the	RA MLSA	Republic of Armenia with international	The study is in the process
	regulation of labor relations in		commitments and standards	
	compliance with international		The bill introducing changes and	
70.2	standards	RA MLSA	amendments into the Labor Code	Is in the finalizing stage
70.2	Staridar d5	ICA IVILOA	submitted to the National Assembly for	is in the imanzing stage
			consideration	

Accordingly, the Action 70 is implemented **PARTIALLY**.

## Action 71: To establish legislation introducing a holistic and efficient public control system to ensure compliance with the requirements of the labor legislation

The Action 71 envisages to establish legislation introducing a holistic and efficient public control system to ensure compliance with the requirements of the labor legislation. According to the information provided by the Ministry of Labor and Social Affairs of the Republic of Armenia, the laws adopted on December 4, 2019 have made relevant changes in the Labor Code of the Republic of Armenia on Administrative Offenses. In particular, as a result of the amendments, it is envisaged that from 1 July, 2021, the Health and Labor Inspectorate, in addition to oversight of employee health and safety regulations and oversight over the provision of guarantees for employees/persons under 18 years of age, as well as pregnant or breastfeeding women and workers with children under their care; will also exercise control over the fulfillment of the requirements of the labor legislation, other requirements of other normative legal acts containing labor law norms and, compliance with the requirements of collective and employment agreements, as well as apply sanctions in cases provided by law.

On the other hand, in order to exclude violations of labor rights of workers during the state of emergency in the country, as a result of changes in the Labor Code, from 5 July, 2020, the Health and Labor Inspection Body has been assigned new statutory powers in terms of exercising complete state control over the fulfillment of the requirements of the labor legislation. Therefore, according to the Ministry, in the conditions of the declared state of emergency, the country exercises complete state control over the fulfillment of the requirements of the labor legislation. The Full control is planned to start on 1 July, 2021.

According to the in-depth interviews with staff of the Ministry of Labor and Social Affairs, the Health and Labor Inspectorate currently has only leverage to protect the right to work of children under the age of 18 and to monitor health and safety norms, and by 2021 control will be exercised by the existing levers. From July 2021, the control will be complete.

According to the assessments of the employees of the Ministry, the protection of the labor rights of the employees due to the epidemic-emergency situation in the country has become an urgent priority issue. Therefore, legislative changes have been made before the planned transition to full control by July 2021. These legislative changes provide temporary control to the Health and Inspection Body to carry out additional control functions in the field of protection of labor rights in case of emergency. These additional functions will only work in the event of an emergency.

No.	Action	Responsible bodies	Expected output	Reached output
71	To establish legislation introducing a holistic and efficient public control system to ensure compliance with the requirements of the labor legislation	RA MLSA	The draft of the legal instrument submitted to the National Assembly for consideration	In the process

Accordingly, the Action 71 is implemented **PARTIALLY**.

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

No actions are envisaged.

# SPHERE 10: RIGHT TO SOCIAL SECURITY AND MINIMAL LIVING CONDITIONS

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	2	1
Out of which implemented	-	-	-
Out of which implemented partially	-	2	1

#### **ACTIONS TO BE IMPLEMENTED DURING THE FIRST HALF OF 2020**

No actions are envisaged.

#### **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

Action 76: To provide legislation setting forth the procedure, conditions and mechanisms for the assistance to young families and families with children

The Action 76 envisages to provide legislation setting forth the procedure, conditions and mechanisms for the assistance to young families and families with children. The responsible body for this action is the RA MLSA.

According to the information provided by the RA MLSA, by the Government Resolution 968-L of 14 May, 2020, the "2020-2023 State Support Program for Housing of Families with Children" was approved. The Government Resolution 1167-L of 9 July, 2020 "On approving the model form of the contract for the implementation of the state housing assistance program for families with children" was also approved. The above-mentioned programs have

been operating since 1 July, 2020. Thus, the actions that have been implemented referred only to the issue of housing security for young families with children.

No.	Action	Responsible bodies	Expected output	Reached output
76	To provide legislation setting forth the procedure, conditions and mechanisms for the assistance to young families and families with children	RA MLSA	The bill(s) to introduce legislative changes submitted to the National Assembly for consideration; governmental decree(s) passed	The "2020-2023 State Support Programs for Housing of Families with Children" was approved, and resolution "On approving the model form of the contract for the implementation of the state housing assistance program for families with children" has been adopted.

Accordingly, the Action 76 is implemented **PARTIALLY**.

#### Action 78: Development and implementation of a subsystem based on online applications to recalculate pensions for working pensioners

According to the information provided by the RA MLSA, a draft decision "On Making Addenda and Amendments to the Decision N 650-L of the Government of the Republic of Armenia of 16 May, 2019" is currently being circulated. Within the framework of which it was proposed to change the deadline for the development and operation of the subsystem ensuring the recalculation of the pension of the pensioner working on the basis of an online application and fix it in the first ten days of October 2020. Appropriate actions are already being taken by the Service to implement the mentioned event.

No.	Action	Responsible bodies	Expected output	Reached output
78	Development and implementation of a subsystem based on online applications to recalculate pensions for working pensioners	RA MLSA	The subsystem to recalculate pensions for working pensioners put in operation	Action is postponed

Accordingly, the deadline for implementation of Action 78 is **POSTPONED**.

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

Action 75: To increase state-paid pensions

This action is intended to increase the average state pension by 10%. **Cuuluouju UU unupphi quiphi quiph** 

According to the information provided by the MLSA on state pensions, state pensions as of December 31, 2019 increased from AMD 40,424 to AMD 44,120 as of June 30, 2020, recording 9.1% growth. Information on the average size of pensions and benefits is presented on Figure 13.

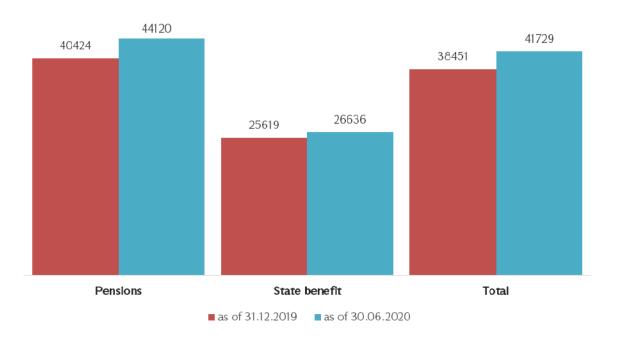


Figure 13. Action 75: Size of State Pensions (AMD)

Accordingly, the Action 75 is implemented **PARTIALLY**.

# SPHERE 11: RIGHTS OF THE CHILD

	1st half of	2nd half of	Periodically 2020-
	2020	2020	2022
The number of action to be implemented	0	1	2
Out of which implemented	-	-	-
Out of which implemented partially	-	-	1
Out of which information not available	-	1	1

No actions are envisaged.

#### **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

Action 83: To establish a single statistical system for registration of issues related to the rights of the child Information is not provided by MoJ.

No.	Action	Responsible bodies	Expected output	Reached output
83	To establish a single statistical system for registration of issues related to the rights of the child	RA MoJ	A governmental decree establishing the procedure for registration of issues related to the rights of the child passed	Information is not provided

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

#### Action 82: To raise awareness of the rights of the child

The Action 82 envisages to raise awareness of the rights of the child, within the framework of which it is envisage to exhibit childcare and educational institutions with the posters on the rights of the child, develop and disseminate sets of informational materials, video materials on the rights of the child including on legal remedies, conduct awareness-raising campaigns.

According to information provided by MLSA posters on child rights were posted in 10 out of 12 child care institutions (daytime and round the clock); in 2 institutions relevant measure are undertaken to post posters. Public awareness campaigns on children's rights were also implemented in two main areas: service development and prevention programs. Media materials on child trafficking and exploitation, children returned to their biological families through the Prevention of Child Abandonment Program, skills development programs for mothers of children with disabilities, and reforms in the adoption process were published.

The RA MLSA has developed and disseminated information material on child rights in local self-government bodies, territorial administration bodies, medical institutions and child care institutions, on the topic of preventing children from entering institutions due to diseases. Video recordings on children's rights have been developed and widely circulated in the media. Awareness raising campaigns on the rights of the child were conducted, including in the form of interviews and discussions on television and other media platforms.

Thus, the Ministry of LSA has provided information on the awareness-raising campaigns, the study of which shows that the set targets have been met; among the disseminated material the minimum views was 6000.

No	Indicator	Responsible body	Monitoring results		
82.1	the number of childcare and educational institutions exhibited	RA MI SA	Monitoring results 10		
02.1	with the posters on the rights of the child (quantity)	1011112071	Target indicators 12		
82.2	the number of sets of informational materials on the rights of the child including on legal remedies	RA MI SA	Monitoring results 10		
02.2	developed and disseminated (quantity)	IVA MEJA	Target indicators 12		
82.3	the number of video recordings dedicated to the rights of the child developed and disseminated through the mass media (quantity)	RA MLSA	A number of videos were developed and disseminated throu the mass media		
82.4	the number of awareness raising campaigns dedicated to the rights of the child conducted (quantity)	RA MLSA	A number of awareness campaigns on children's rights wer held		

Accordingly, the Action 82 is implemented **PARTIALLY**.

### Action 86: To improve the sanitary conditions in general education, elementary institutions, as well as in childcare and protection institutions have improved

The Action 86 envisages to improve the sanitary conditions in general education, elementary institutions, as well as in childcare and protection institutions have improved. The implementing party is the RA Ministry of Health, which, however, did not provide information on this issue.

According to the information provided by the Ministry of Health, the Ministry has studied the international experience on the requirements for educational institutions implementing general education programs, on the basis of which by order 12-N of 28 March, 2017, the Minister of Health approved the N 2.2.4-016-17 on Sanitary Rules and Norms "Requirements for educational institutions implementing general education programs" and repealed the Order N 82 of the 11 February, 2002 on approving the sanitary rules N 2.III.4.2. "On the maintenance of the structure of general education schools". At the same time, the legal framework of the sector is in line with the work aimed at bringing it in line with international standards, on the basis of which the best practices will be localized and appropriate changes will be made within the framework of the Implementation Action Plan for 2020-2022 Deriving from the National Strategy for Human Rights Protection of the Republic of Armenia.

Some work related to this action has been done by the RA Human Rights Defender's Office. In 2019, the Office of the Human Rights Defender published an extraordinary public report on "Ensuring the right of access to water and sanitation in pre-school and general education institutions. Within the framework of the report, in May-June 2018, the representatives of the Defender's Office conducted site visits to 121 schools and 80 kindergartens in Yerevan. The issues raised during the monitoring visits, the professional analyzes performed in connection with them and the solutions proposed are systematically presented in the report. The lists of educational institutions and the results of the monitoring were submitted to the Ministry of Education, Science, Culture and Sports, Ministry of Territorial Administration and Infrastructure, Ministry of Health and Yerevan Municipality, aiming at initiation of measures to address the existing problems. The summary of the data on the work done by the competent bodies of the sector in 2019 shows that, despite the steps taken, not all institutions have solved their problems or taken steps to eliminate them.

No.	Action	Responsible bodies	<b>Expected output</b>	Reached output
86.1	To improve the sanitary conditions in general education, elementary institutions, as well as in childcare and protection institutions have improved	RA MoH	A study conducted to look into the compliance of the legislation on the sanitary conditions in educational, childcare and protection institutions for children with international standards	The international experience on the requirements for educational institutions implementing general education programs has been studied

86.2	RA MoH	Changes introduced in the legislative acts defining the sanitary conditions	Implemented
86.3	RA MoH	Sanitary conditions in educational, childcare and protection institutions for children improved	No information provided

Accordingly, 1st and 2nd parts of Action 86 have been implemented FULLY. Regarding 3rd part no information is provided.

## SPHERE 12: FREEDOM OF ECONOMIC ACTIVITY

	1st half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	0	1	1
Out of which implemented	-	-	1
Out of which implemented partially	-	1	-

No actions are envisaged.

#### **ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020**

Action 88: To establish legislation improving the toolset (powers) for the activities of the State Commission for the Protection of Economic Competition

Action 88 envisages legislative improvement of the toolset for the activities of the State Commission for the Protection of Economic Competition. The responsible body for the implementation of the action is the RA Ministry of Economy.

Within the framework of this action, the draft laws of the Republic of Armenia "On Making Amendments to the Law of the Republic of Armenia On Protection of Economic Competition "and related laws were published on the e-draft.am Unified Website for Publication of Legal Acts' Drafts, about which a public discussion was held in the period of 20.05.2020 – 04.06.2020. The draft was submitted to all interested state bodies and organizations for discussion at the same time. As a result of the discussions, the amended package was submitted to the RA Ministry of Justice for state-legal expertise. The finalized version of the project package will be submitted to the RA Ministry of Economy.

No.	Action	Responsible bodies	Expected output	Reached output
88	To establish legislation improving the toolset (powers) for the activities of the State Commission for the Protection of Economic Competition	RA Ministry of Economy	The bill introducing changes and amendments into the Law on Protection of Economic Competition submitted to the National Assembly for consideration	State-legal examination stage

Accordingly, the Action 88 is implemented **PARTIALLY**.

#### **ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022**

#### Action 87: To raise awareness of the customs regulations within the Eurasian Economic Union

According to the information provided by the SRC, in the period from 1 January to 31July, 2020, 11 (eleven) information materials on EEU customs regulations were developed and disseminated. 11 video recording was elaborated, developed and disseminated through mass media. The video recordings were in the format of a report, and in addition in the format of a pavilion discussion, pictorial, animated, explanatory videos. Information materials and videos were widely disseminated on news websites, print media, TV radio stations, as well as social media groups. Publications aimed at

public awareness were also made through the SRC official website pages on Facebook, Twitter, Telegram, YouTube, All.me, newinfo.am social platforms.

N	Indicator	Responsible bodies		Monitoring results	
	the number of customs offices exhibited with the posters on regulations within the		Monitoring results	6	
87.1	Eurasian Economic Union, namely import and export regulations (quantity)	SRC	Target Indicators	6	
	the number of sets of informational materials on customs regulations within	SRC	Monitoring results		11
87.2	the Eurasian Economic Union developed and disseminated (quantity)	Site	Target indicators	3	
87.3	the number of video recordings dedicated to customs regulations within the Eurasian Economic Union developed and	SRC	Monitoring results		11
07.3	disseminated through the mass media (quantity)		Target indicators	3	

Accordingly, the Action 87 is implemented **FULLY**.

## SPHERE 13: STRATEGIC COMMUNICATION

	1 <sup>st</sup> half of 2020	2 <sup>nd</sup> half of 2020	Periodically 2020- 2022
The number of action to be implemented	1	0	0
Out of which implemented	1	-	-
Out of which implemented partially	-	-	-

Action 89. To develop a communication plan for the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan

Action 89 of HRD Strategy envisages development of a communication plan for the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan.

No.	Action	Responsible bodies	Expected output	Reached output
	To develop a communication plan		The legislative instrument to approve the	Communication plan for the
	for the 2020-2022 National		communication plan for the 2020-2022	2020-2022 National Strategy for
76	Strategy for Human Rights	RA MoJ	National Strategy for Human Rights	Human Rights Protection and its
	Protection and its derivative		Protection and its derivative Action Plan	derivative Action Plan is adopted
	Action Plan		adopted	and disclosed

According to the information provided by the Ministry of Justice, in cooperation with the International Republican Institute (IRI), the Ministry of Justice has developed the a communication plan for the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan. The objectives of this plan are to raise awareness among the target groups about the 2020-2022 National Strategy for Human Rights Protection and its derivative Action Plan and its importance to citizens, as well as to promote their engagement as key stakeholders of HRD Strategy and promotion of human rights defense agenda in Armenia.

At the same time, with the financial support of the European Union, UNDP, UN Population Fund, UNICEF the e-rights am platform is available to ensure transparency and accountability of government activities in the field of human rights protection within the framework of the "Protection of Human Rights in Armenia" program. The platform provides an opportunity to get acquainted online with the National Strategy for Human Rights Protection and its Derivative Action Plan, the implementation process of measures, the publication of reports submitted by government agencies, and submit comments on the measures. In order to make the actions more targeted and accessible, they have been separated by types of law and United Nations Sustainable Development Goals.

According to the representative of the Ministry of Justice, interviews were conducted with representatives of state bodies to develop a communication strategy to assess their awareness needs, obstacles to activities in the field of public awareness, as a result of which actions and measures in communication strategy were identified. According to the representatives of the Ministry of Justice, the communication strategy is quite comprehensive; it includes a number of actions with clear deadlines. Awareness raising activities, which will include young people, women and vulnerable groups of the target groups are envisaged. It is planned to hold public discussions, seminars, video shooting and other events. According to the representative of the

ministry, during the first half of 2020, the development of strategic communication was carried out and no concrete awareness actions were carried out yet. The implementation of these actions is planned from September 2020 and will be implemented in stages over three years.

According to focus group discussions, the CSO representatives, highlighted the role of CSOs in the process of organizing communication between the state and citizens. According to CSOs, civil society organizations are more involved in raising awareness on the National Strategy for Human Rights Protection as compared with the government agencies. Awareness is mostly low in the regions, especially in remote regions as the CSO representatives noted. The awareness function is mainly performed by CSO representatives in the regions and the situation is relatively good in the regions where there are human rights NGOs.

As CSO assessments show, the work done in the field of human rights protection by the state bodies is more publicized for the CSO sector, and there is no broad awareness carried out for the public. Awareness-raising activities carried out by the CSO sector are not sufficient to ensure a broader, larger-scale awareness of the National Strategy for Human Rights Protection and its Derivative Action Plan.

In general, CSOs assessed the cooperation of state bodies with CSOs in the field of Human Rights Protection as satisfactory. However, in terms of cooperation with the CSO sector in the field of the Human Rights Protection, CSOs have identified some shortcomings, in particular, the limitation of the number of CSOs involved, the constant preference for the same structures. The CSOs also pointed out that the participation of individual citizens in the processes is very small, and the CSO sector is mainly the initiating party in the process of initiating the dialogue. As an additional monitoring tool, one of the CSO representatives suggested to monitor program budgets with the involvement of civil society representatives.

Accordingly, the Action 89 is implemented **FULLY**.

**ACTIONS TO BE IMPLEMENTED DURING THE SECOND HALF OF 2020** 

No actions are envisaged.

**ACTIONS TO BE IMPLEMENTED PERIODICALLY DURING 2020-2022** 

No actions are envisaged.

### METHODOLOGICAL RECOMMENDATIONS

Methodological recommendations on monitoring indicators

- 1. The indicators to be monitored by the Human Rights Protection National Strategy and its Action Plan mainly include output level indicators. This indicators mainly cover the output of whether particular actions have been implemented or not envisaged by the Action plan while indicators relating to the outcomes of the actions are generally lacking. This assumes that the impact of the actions performed is not evaluated and it is not evaluated whether the action reached the desired result or not. For this reason, as indicators for measuring the effectiveness of the Human Rights National Strategy Action Plan, we propose to include impact level indicators as well through which it will be possible to assess whether the implemented actions have led to the desired results and what impact they have had in the long-term perspective.
- 2. Indicators related to a number of actions, which are mainly related to awareness raising in different areas, are not clearly defined, therefore, the assessment of whether or not the Action has been implemented becomes subjective such as in the cases of "information campaigns were carried out", "information materials were prepared", etc. The target indicators set for these actions do not reflect the volume of target audience, its coverage, message transmission frequency, etc. For this reason, we propose to also include impact level indicators in the list of indicators referring to awareness-raising of population in different spheres which will enable us to actually assess the level of awareness among the population. Such indicators can be integrated into the indicators of representative surveys regularly conducted by various research organizations.