
COE COMMISSIONER: ARMENIA'S NEW GOVERNMENT SHOULD PLACE HUMAN RIGHTS AT THE CENTRE OF ITS POLICIES

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Armenias peaceful transfer of power in May 2018 has been truly remarkable. However, popular expectations are high that there will be tangible improvements to peoples lives, and the government should devote its attention to upholding the long-neglected rights of those who are most vulnerable, said Dunja Mijatović, the Council of Europe Commissioner for Human Rights, concluding a visit to Armenia from 15 to 20 September which focused on womens rights, gender equality and domestic violence, the human rights of various disadvantaged and vulnerable groups, as well as questions related to accountability for past human rights violations.

The Commissioner devoted attention to the rights of women and their political participation: Womens participation in Armenias public life should be more effectively promoted – especially, at the highest levels of decision-making and at the local level, where it is particularly low. Temporary special measures, such as mandatory quotas, can be helpful in levelling the playing field for women and men, and the Commissioner recommends that concrete and ambitious targets for womens participation be pursued, including for local elections. The authorities should also do more to encourage women and girls to become actively engaged in political life, to promote role models and champions – both male and female - of womens equality, and to foster a gender-equal education environment free from discriminatory stereotypes, said Commissioner Mijatović.

On the issue of equality in employment, the Commissioner considers that Armenia should take decisive steps to ensure equal pay and equal access to the labour market for women by combating the high gender pay gap and abolishing the list of professions declared hazardous for women. Armenia should also facilitate womens return to work from maternity leave and boost the activities of the Council on Ensuring Equal Rights and Equal Opportunities for Women and Men under the Prime Minister.

The Commissioner welcomed the adoption of the Law on prevention of violence within the family, protection of victims of violence within the family and restoration of peace in the family in December 2017, followed by the signature of the Council of Europe Convention on preventing and combating violence against women and domestic violence. As Armenia moves towards the ratification of that Convention, it should look beyond standard-setting and make sure that the new national legislation is effectively applied as soon as it fully enters into force in January 2019, said the Commissioner, pointing out the need for further capacity-building and raising awareness of law

enforcement officers, investigators, social workers, and members of the judiciary so that they are better equipped to ensure the protection of people affected by domestic violence and prevent re-victimisation.

The Commissioner visited the only shelter for victims of domestic violence in the entire country, which was currently providing accommodation and care for five women with children, a situation that clearly falls far short of meeting existing needs. I was glad to hear that the government intends to open new shelters in 2019. I think it is important that they exist not only in Yerevan, but also in other regions and in remote areas, Commissioner Mijatović said, while urging the Armenian authorities to pay close attention to ensuring the right to education of children staying in such shelters.

On the rights of persons with disabilities, Commissioner Mijatović welcomes Armenias efforts towards de-institutionalisation. However, she stresses that the legal framework governing state support to persons with disabilities should be revised. Armenia should put an end to plenary guardianship for persons with psycho-social disabilities. It should move towards introducing a regime for supported decision-making for such persons. Their confinement to large state institutions is absolutely not the right path, said the Commissioner. She found the small care home in Spitak to provide a more conducive environment for the residents individual empowerment and self-reliance.

On inclusive education for children with disabilities, the Commissioner commends the governments firm commitment to make all education inclusive by 2025 and calls on it to persist in its efforts to achieve this goal. She recommends that special attention is paid to ensuring inclusive education at the pre-school (kindergarten) level and to applying de-institutionalisation equally to children with and without disabilities.

During a visit to the Nork childrens care home in Yerevan, the Commissioner was gratified to observe the quality of care and dedication of its staff, but was concerned by the presence of many children – both with and without disabilities – who have been either temporarily confined or outright abandoned by their parents, often on grounds of indigence. All children have the right to grow up in a family and neither disability nor poverty should justify their placement in institutions, the Commissioner said, adding that the government should – first and foremost - allocate sufficient resources for community support to biological parents resuming care over their children, and continue in parallel to promote foster care. In addition, by ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) which it signed in 2010, Armenia would ensure adequate protection of children from all forms of sexual exploitation.

Regrettably, the Commissioner found the level of social protection of older persons in Armenia to be largely inadequate. I encourage the Armenian authorities to ensure older persons dignified life and welfare through a comprehensive strategy, which should give priority to increasing old age benefits and upholding older persons right to life in the community and to affordable healthcare, including for those who choose to live in nursing homes, Commissioner Mijatović said.

To ensure that no-one is discriminated in any domain of public and private life in Armenia, the authorities should promptly adopt a comprehensive anti-discrimination law. The government should also take a firm stance against hate speech and hate crime against LGBT persons and ensure that all such incidents are duly condemned, investigated and prosecuted.

Regarding the legacy of the violent events of March 2008, the Commissioner welcomes the steps taken by Armenia to finally establish responsibility for the ten deaths that occurred at that time and close this painful chapter of the countrys recent history. However, she stresses that this should be done carefully and in strict adherence to the principles of rule of law, judicial independence, transparency and guarantees of fair trial, in order to dispel any accusations of alleged revenge politics or selective justice.

As Armenia traverses this period of important transition, I encourage all politicians and opinion leaders to contribute to building a cohesive society and exercise special care to avoid using polarising, stigmatising or inflammatory language in their public discourse, the Commissioner concluded.

The Commissioners report on her visit is forthcoming.

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