

UNEDITED VERSION

COMMITTEE ON THE RIGHTS OF THE CHILD
35th session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 44 OF THE CONVENTION

**Concluding Observations of the Committee on the
Rights of the Child: ARMENIA**

1. The Committee considered the second periodic report of Armenia (CRC/C/93/Add.6) at its 924 to 925 meetings (see CRC/C/SR.924-925), held on 15 January 2004, and adopted at its 946th meeting, held on 30 January 2004, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's second periodic report, which was prepared in general conformity with the reporting guidelines, and of the written replies to its list of issues (CRC/C/Q/ARM/2). It also appreciates the frank and constructive dialogue held with the State party's high level delegation.

**B. Follow-up measures undertaken and
progress achieved by the State party**

3. The Committee welcomes a number of positive developments in the reporting period, including:
 - (a) Amendments of 2002 and 2003 to the Children's Rights Act, which strengthen the protection of the rights of the Convention in national legislation;
 - (b) The adoption of the Human Rights Procurator Act, which entered into force on 1 January 2004, pursuant to which a Human Rights Procurator (Ombudsman) will be appointed within a period of two months;
 - (c) The adoption in 2003 of the National Plan of Action for the Protection of Children's Rights in Armenia to be implemented from 2004 to 2015;
 - (d) The adoption in 2003 of the Strategic Programme to Overcome Poverty to be implemented from 2004 to 2015;
 - (e) The approval of the National Strategy to Combat HIV/AIDS in 2002;
 - (f) The State party's ratification in 2003 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which supplements the United Nations Convention against Transnational Organized Crime;
 - (g) The State party's unconditional abolishment of the capital punishment following its ratification, in 2003, of Protocol 6 to the European Convention on Human Rights.

C. Factors and difficulties impeding the implementation of the Convention

4. The Committee notes that the State party continues to face serious economic, social and political challenges posed by the transition to a market economy, including increased unemployment and poverty, and the unresolved conflict over Nagorny Karabakh.

D. Principal subjects of concern and Committee recommendations

D.1. General measures of implementation

The Committee's previous recommendations

5. The Committee very much regrets that no explicit follow-up was given to the previous recommendations (CRC/C/15/Add.119 of 24 February 2000) made upon consideration of the State party's initial report (CRC/C/28/Add.9), although some of them seem to have been taken into account.
6. **The Committee recommends that the State pay priority attention to the implementation of the previous recommendations, many of which are reiterated in the present document, and to the list of concerns and recommendations contained in the present concluding observations. The Committee expects the State party to indicate more clearly in its next periodic report follow-up measures taken relating to the implementation of these recommendations.**

Legislation

7. The Committee welcomes the various programmes and legislative reforms, aiming at strengthening the protection of the rights of the child and bringing national legislation into conformity with the Convention, which are currently being prepared, including the new family law. However, the Committee expresses concern about the slow pace in which the elaboration of new legislation is advancing.
8. **The Committee recommends that the State party strengthen its efforts to ensure full compatibility of its legislation with the Convention and to ensure that the law is fully implemented in practice.**

Coordination

9. The Committee concurs with the statement made in the State party's report that "the need to coordinate children's problems and find solutions to them at the national level is more urgent than ever" (para. 78). The Committee notes with regret in this regard that, apart from the body set up in 1999 to coordinate the affairs of children deprived of parental care, no standing national mechanism has been established to ensure effective coordination of activities in the field of children's rights between ministries, local authorities and non-governmental organizations.
10. **The Committee reiterates its recommendation that State party take further measures to ensure effective national coordination of activities in the field of**

children's rights and that adequate support is given to local authorities for implementation of the Convention.

Data collection

11. While acknowledging the establishment of a data bank with data on adoptions, children in institutions, abandoned and vagrant children, as well as the detailed data on education presented in the State party's written replies, the Committee reiterates its concern about the absence of mechanisms to collect and analyse disaggregated data on persons under 18 years in all areas covered by the Convention, including the most vulnerable groups, such as children with disabilities, street children, children living in rural areas, refugee children and children belonging to minority groups.
12. **The Committee reiterates its recommendation that the State party develop a comprehensive system for collecting disaggregated data as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee encourages the State party to seek technical assistance from, inter alia, UNICEF, in this regard.**

Independent Monitoring Structures

13. The Committee underlines the importance of ensuring that the newly established Human Rights Procurator (Ombudsperson) receives sufficient powers and human and financial resources to deal adequately with children's rights.
14. **The Committee encourages the State party to ensure that the Office of the Human Rights Procurator works as an independent and effective national institution in accordance with the Paris Principles (General Assembly resolution 48/134). The Committee recommends that the State party, in accordance with the Committee's General Comment no. 2 on National Human Rights Institutions, establish either a Procurator specifically responsible for Children's Rights, or a specific section or division within the Office of the Human Rights Procurator responsible for children's rights.**

National plan of action

15. The Committee welcomes the adoption of the National Plan of Action for the Protection of Children's Rights in Armenia and underlines the importance of establishing mechanisms for its effective implementation and monitoring.
16. **The Committee recommends that the State party ensure that the National Plan of Action covers all areas of the Convention and takes into account the outcome document, "A world fit for children", of the 2002 UNGA Special Session on children, and that the National Resource Centre on Children's Rights, charged with promoting and monitoring the implementation of the National Plan of Action for the Protection of Children's Rights, is made functional as soon as possible and allocated sufficient human and financial resources to fulfil its mandate.**

Allocation of budgetary resources (art. 4)

17. The Committee welcomes the information concerning the increase of some of the budgets allocated for children, but remains concerned that resources allocated to the protection of children's economic, social and cultural rights are still very low and do not meet international standards.
18. **The Committee reiterates its recommendation that the State party develop ways to establish a systematic assessment of the impact of budgetary allocations on the implementation of child rights and to collect and disseminate information in this regard. The Committee recommends that the State party ensure the adequate distribution of resources at the national and local levels and prioritize budgetary allocations with a view to implementing fully article 4 of the Convention, ensuring the economic, social and cultural rights of children, in particular those belonging to economically disadvantaged groups, "to the maximum extent of... available resources and, where needed, within the framework of international cooperation".**

Training/dissemination of the Convention (art. 42)

19. The Committee reiterates its concern about the low level of awareness of the Convention amongst the general public, including children, and professionals working with children. While recognizing that efforts have been made over the last years to enhance awareness of the Convention, Committee is concerned that such awareness-raising activities are not done in a systematic and targeted manner.
20. **The Committee reiterates its recommendation that the State party develop an ongoing programme for the dissemination of information on the Convention and its implementation. The Committee also encourages the State party to pursue efforts to promote children's rights education in the country and to develop systematic and ongoing training programmes on the provisions of the Convention for all professional groups working with children (i.e. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers). The Committee encourages the State party to seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF in this regard.**

D.2. Definition of the child

21. The Committee reiterates the concern expressed by the Committee on the Elimination of Discrimination against Women (A/57/38) that the different minimum legal age for marriage, set at 18 for men and 17 for women, contravenes the principle of non-discrimination.
22. **The Committee recommends that the State party to raise the minimum age for marriage for girls so that it be equal to the minimum age set for boys.**

D.3. General principles

Non-discrimination (art. 2)

23. Noting that discrimination is prohibited under the law, the Committee remains concerned at persistent de facto discrimination on the grounds of gender as well as discrepancies in the enjoyment of rights in relation to certain vulnerable groups, including children with disabilities and refugee children, children living in rural areas, children from poor families, street children, and those living in institutions.
24. **The Committee encourages the State party to ensure the effective enforcement of protective laws, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, to sensitize society to the situation and needs of children within the society and particularly within the family. In this regard, the Committee requests that specific information be included in the next periodic report on the measures and programmes undertaken to follow up on the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking into account the Committee's General Comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).**

Respect for the views of the child (art. 12)

25. The Committee welcomes the drafting of regulations on student self-government with the assistance of UNICEF. However, the Committee reiterates its concern that respect for the views of the children remains limited in schools, care institutions, the courts and within the family.
26. **The Committee reiterates its recommendation that the State party take further measures to promote and facilitate within the family, the school, care institutions and the courts respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention. The State party should ensure that teachers, social workers and local officials are trained to assist children to make and express informed views and that these views are given due weight according to the child's age and maturity.**

D.4. Civil rights and freedoms

Birth registration and nationality (art. 7)

27. The Committee is concerned at the extent of non-registration of births in the State party, a problem which seems to be connected with the increasing number of births given at home and difficulty to travel to regional centres from remote areas to register births.
28. **The Committee recommends that the State party strengthen efforts to ensure that all children born in Armenia are registered, including by facilitating birth registration procedures and assisting families to acquire the necessary documentation and waiving fees for the poor.**
29. The Committee welcomes progress made in preparing amendments to the 1999 Law on Refugees. It notes, however, that these amendments do not include an explicit assurance for family unity of asylum seekers and refugees.

30. **The Committee recommends that the draft law on amendments to the 1999 Law on Refugees currently under consideration provide explicit protection of the family unity of asylum-seekers and refugees. The amendments should also ensure that refugee children automatically acquire Armenian citizenship when their parents do so, and that the Law on Citizenship is revised accordingly.**

Freedom of thought, conscience and religion (art. 14)

31. The Committee notes that the study of the history of the Armenian Apostolic Church in 2002 was made a compulsory subject in schools.
32. **In the light of article 14, the Committee recommends that above-mentioned compulsory subject does not infringe upon the rights of children belonging to religious minorities.**

D.5. Family environment and alternative care

Assistance to parents (art. 18.2)

33. The Committee recognizes the State party's strong emphasis on the role of family life in Armenian society and its desire to provide adequate care for children in Armenian families. However, it is concerned that there is a serious lack of community-based services to assist families in difficult circumstances to resolve their problems and prevent the separation of children from their parents.
34. **The Committee recommends that the State party take further measures to strengthen community-based services and other services to assist families in difficult circumstances.**

Alternative care (art. 20)

35. The Committee reiterates its concern about the high number of children living in institutions (incl. boarding schools). In particular, the Committee notes with concern the rising numbers of de facto orphans in the State party, ascribed to the protracted social and economic crisis in the country where an increasing number of parents find themselves without the means to maintain their children. The Committee also restates its concern, in the light of article 25 of the Convention, about the lack of adequate and systematic review of the situation and conditions of children living in institutions.
36. **The Committee urges the State party to ensure the effective implementation of the State Strategic Programme for the Reform of institutions Involved in the Care and Maintenance of Children, with a view to reducing the number of children placed in institutions, improving their quality of life and facilitating their integration into society. In this regard, the Committee recommends further training of personnel in institutions and that effective mechanisms be set up to evaluate and monitor the conditions in children's institutions. The Committee encourages the State party to consider expanding the pilot project envisaged for 2004 of supporting children's return to their families or placement in foster care. It also encourages the State party to implement plans to offer one-room apartments free of charge for period of ten year to children discharged from children's homes.**

Adoption (art. 21)

37. The Committee notes that a set of instruments were approved by the Government in 2000 which define the conditions and standards for adoption and foster care. It also commends amendments to relevant legislation to give priority to domestic adoption of children and avoid adoptions from medical institutions. The Committee, however, remains concerned about the absence of established mechanism to review, monitor and follow up placement of children.
38. **The Committee recommends that the State party ensure that effective mechanisms to review, monitor and follow up adoption of children are established. In this regard, serious considerations should be given to the establishment of a central authority for adoption. The Committee also recommends that the State party ensure that the Adoption Act is in full conformity with the Convention. The adoption law should guarantee the right of the child to know his/her origin and access to information about background and vital medical history of both the child and biological parents. Furthermore, the Committee encourages the State party to ratify the 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter country Adoption.**

Abuse and neglect (art 19) and recovery and psychological social reintegration (Art. 39)

39. While taking note that the Children's Rights Act and the Criminal Code include provisions which protect children against violence and abuse, the Committee reiterates its concern that the State party has as yet not introduced legislative and other measures which specifically address the issue of violence against children. The Committee is concerned about the lack of data on cases of abuse, including sexual abuse and neglect, and ill treatment of children, which may occur in child institutions and families, as well as information on specific programmes of systematic control of mechanisms in place to avoid institutional impunity in cases of abuse and ill-treatment. It is also concerned at the lack of complaints mechanisms to which children could have recourse and the fact that only medical professionals are responsible for reporting cases of abuse and neglect.
40. **The Committee encourages the State party to adopt specific legislation and take other measures to prevent violence against children in all circumstances, including corporal punishment. It also recommends that the State party strengthen programmes for the recovery and reintegration of abused children and establish adequate procedures and mechanisms to receive complaints, monitor, investigate and prosecute instances of ill-treatment. The Committee urges the State party to ensure that all people working with children, such as teachers and care personnel, are made responsible for reporting cases of abuse and neglect. The Committee recommends that the State party launch awareness-raising campaigns on the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment, especially in the family, schools and other institutions and ensure that all people working with children, including law enforcement officials, judges and health professionals undergo training in how to identify, report and manage cases of ill-treatment.**

Recovery of maintenance for the child (art. 27, para. 4)

41. While domestic legislation includes provisions for maintenance allowance, and stipulates that persistent refusal by parents to pay court-ordered maintenance payments for their children is a criminal offence, the Committee is concerned at the lack of implementation of these provisions, partly due to widespread ignorance of the law.
42. **The Committee recommends that the State party:**
 - (a) **Make widely known the provisions of domestic legislation concerning maintenance allowance and support mothers, if necessary, in undertaking legal action;**
 - (b) **Ensure that professional groups dealing with this issue are adequately trained and courts are stricter regarding the recovery of maintenance from solvent parents who refuse to pay;**
 - (c) **Take necessary measures to ensure that financial assistance is provided to children born out of wedlock and children of single-parent families in cases where maintenance cannot be obtained from solvent parents.**

D.6. Basic health and welfare

Children with disabilities (art. 23)

43. The Committee remains concerned at the prevailing poor situation of children with disabilities, who are often institutionalized. Furthermore, while taking note of measures taken to enable children with disabilities to receive instruction within regular schools, the Committee regrets that the access to mainstream and special education of children with disabilities remains limited.
44. **Reiterating its previous recommendations, and in light of the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on the rights of children with disabilities (CRC/C/69), the Committee encourages the State party to make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes. The Committee also encourages the State party to strengthen ongoing efforts to integrate children with disabilities into mainstream education. The Committee also restates its recommendation that awareness campaigns, which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities be undertaken, and that adequate training be made available to persons working with these children.**

Health and health services (art. 24)

45. While welcoming the adoption in March 2003 of a programme to provide free medical care, including dental care, for children up to the age of 15 and free inpatient medical care to children belonging to underprivileged groups up to the age of 18, the Committee reiterates its concern regarding the deterioration in the health system in the State party following cuts in public expenditure on the health system. In this regard the Committee notes with concern that infant and maternal mortality remain high and that an increasing number of children and mothers suffer from malnutrition as a result of rising food prices and poverty. The Committee is also concerned about the continuous growth in

tuberculosis morbidity among children and the deterioration in the collection and recording of statistical data on health.

46. **The Committee urges the State party:**
- (a) Increase allocation of resources towards an effective primary health care system;**
 - (b) Facilitate greater accessibility of health services, in particular in rural areas, including access to prenatal clinics and maternity hospitals;**
 - (c) Take measures to reduce child and infant mortality and combat tuberculosis;**
 - (d) Take measure to improve children's nutrition, including education proper breastfeeding practices among mothers, and to remedy inequalities in access, availability and affordability of nutritious food;**
 - (e) Take measures to educate the public on healthy eating habits, providing necessary supplementation to reduce the incidence of iron deficiency anaemia among mothers and children;**
 - (f) Strengthen data collection mechanism and provide the Committee with relevant disaggregated and comparative data on the state of children's health;**
 - (g) Continue cooperation with and seek assistance from, inter alia, UNICEF, WHO, the World Food Programme and civil society.**
47. The Committee reiterates its concern regarding the high incidence of teenage pregnancies and the consequent high rate of abortions among girls under 18, especially illegal abortions. Furthermore, while the incidence of HIV remains low in the State party, the Committee is concerned about the lack of knowledge about HIV/AIDS among young people. The Committee welcomes, in this regard, legislative measures taken in the area of reproductive health and HIV/AIDS prevention in 2002, such as the Reproductive Health and Human Reproductive Rights Act, the approval of the National Strategy to Combat HIV/AIDS in 2002, and the establishment of an Inter-Ministerial Council for HIV/AIDS Prevention.
48. **The Committee recommends that State party reinforce its efforts to reduce the number of teenage pregnancies and combat HIV/AIDS and other sexually transmitted diseases, including by ensuring that adolescents are provided with reproductive health education and child-friendly counselling services.**
49. The Committee reiterates its concern at the high incidence of environmental threats. In particular, the Committee notes with concern that old water pipes and failures in the water supply system has led to contamination of drinking water and serious outbreaks of infectious diseases.
50. **In the light of article 24(c) of the Convention, the Committee reiterates its recommendation that the State party take all appropriate measures, including international cooperation, to prevent and combat the damaging effects of environmental degradation on children, including pollution and contamination of water supplies. The Committee encourages the State party to collect data on access to clean water and sanitation.**

Social security and child care services and facilities (arts. 26, 18) / Standard of living (art. 27)

51. While acknowledging the efforts made by the State party to address the high level of poverty, including the Strategic Programme to Overcome Poverty approved in 2003 and the increase of benefits and allowances for poor families and children, the Committee remains deeply concerned about the large number of children living below the absolute poverty line.
52. **The Committee recommends that the State party continue and strengthen its efforts to support poor families and provide the necessary resources for the full implementation of the Strategic Programme to Overcome Poverty.**

D.7. Education, leisure and cultural activities

Right to and aims of education (arts. 28 and 29)

53. The Committee welcomes that a special curricula for teaching human rights as the foundations of democracy and civil society has been introduced in primary education and that teachers have received trained on how to teach this subject.
54. The Committee notes with satisfaction the adoption of a State programme for the development of education over the period 2001-2005, centred on raising the level of education and broadening the involvement of children in the system. The Committee also welcomes the announced increase in funds allocated to education in the budget for 2004-2006 and the provision of school supplies to poor children under the programme “When September Comes”. However, it is concerned that budget allocations to the education sector remain low and that public under-financing has led to an increase in user payment, despite the fact that citizens are guaranteed free primary and secondary education under Armenian law. The Committee reiterates in this regard its concern that low wages have forced teachers to offer private tuition, creating a two-tier system of education. The Committee is also concerned about the low rate of early childhood education and the high rates of non-attendance, absenteeism, and drop-out in primary and secondary education. Moreover, in line with the Committee on the Elimination of Racial Discrimination (CERD/C/61/CO/1), the Committee expresses its concern about inadequate access by minority children to education in their mother tongue.
55. **The Committee recommends the State party to:**
 - (a) **Allocate the required resources (human, technical and financial) to ensure access to quality education for all children, including the most vulnerable groups;**
 - (b) **Develop indicators for quality education and ensure that the quality of education is monitored and guaranteed;**
 - (c) **Continue efforts to remove obstacles of school attendance at all levels in order to keep all children in school and provide programs that bring drop-out students back in school or offer them other appropriate educational/vocational programmes;**
 - (d) **Direct greater efforts to improving the quality of teacher training programmes, and improving the school environment;**
 - (e) **Ensure, when possible, that children belonging to minority groups have access to education in their mother tongue;**
 - (f) **Seek assistance from, inter alia, UNICEF, UNESCO and relevant international NGOs.**

Leisure, recreation and cultural activities (art. 31)

56. The Committee notes with concern the general deterioration of children's access to quality leisure facilities like sports centres and public libraries.
57. **The Committee recommends that the State party give priority to improving children's access to, and quality of, sports centres, cultural institutions and other leisure facilities.**

D.8. Special measures of protection

Unaccompanied, asylum seeking and refugee children (art. 22)

58. The Committee is concerned that the situation of a large number of the refugees from Azerbaijan who arrived in Armenia from 1988 to 1992 as a result of the Nagorny Karabakh conflict has still not been settled. It is concerned that this group remain one of the most vulnerable groups in Armenia.
59. **The Committee recommends that the State party increase efforts to improve and facilitate the integration of refugees into Armenian society.**

Economic exploitation (art. 32)

60. The Committee notes with appreciation the information provided by the State party's delegation that Armenia plans to ratify ILO Conventions Nos. 138 and 182, concerning the Minimum Age for Admission to Employment and the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour following the adoption in 2004 of a new Labour Code. The Committee reiterates its concern that child labour is a problem in the State party, with an increasing number of children dropping out of school and taking up work in the informal sector, especially in agriculture. The Committee is concerned that there is little awareness about the negative consequences of child labour and that there are inadequate measures to address it in Armenia.
61. **The Committee recommends that the State party ensure the effective implementation of the minimum age for admission to employment, set at age 16 in the Labour Code, and of other provisions prohibiting heavy and hazardous work for children under 18. Employers should be required to have and produce on demand proof of age of all children working on their premises. A national mechanism to monitor the implementation of standards at State and local levels should be established and empowered to receive and address complaints of violations. The Committee recommends that the State party undertake a national survey on the nature and extent of child labour. The Committee recommends that the State party carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards; and to involve and train employers', workers' and civic organizations; government officials, such as labour inspectors and law enforcement officials, and other relevant professionals. The State party should seek cooperation with relevant United Nations agencies, such as ILO and UNICEF, and NGOs in this regard. The Committee also encourages the State party to ratify ILO Conventions Nos. 138 and 182 as soon as possible.**

Drug abuse (art. 33)

62. The Committee reiterates its concern about the increasing use and traffic in illicit drugs among persons under 18 years. The Committee also notes with concern that child drug abusers are considered as criminals under article 231 of the Criminal Code and not as children in need of care and protection.
63. **The Committee recommends that the State party develop a national drug control plan, or a Master Plan, with the guidance of United Nations Drug Control Programme (UNDCP). The Committee encourages the State party to continue its efforts to provide children with accurate and objective information about substance use. The Committee urges the State party to ensure that child drug abusers are not criminalized, but treated as victims in need of assistance towards recovery and reintegration, and that the State party develop preventive and reintegration programmes for children who are victims of substance abuse. The Committee recommends cooperation with and assistance from WHO and UNICEF.**

Sexual exploitation (art. 34)

64. While welcoming that penalties have been introduced under the Criminal Code for enticing girls into prostitution and keeping brothels, the Committee reiterates its concern at the insufficient data and awareness of the phenomena of sexual exploitation of children in Armenia, and the absence of a comprehensive and integrated approach to prevent and combat these phenomena. Furthermore, the Committee is deeply concerned that persons under 18 years of age engaged in prostitution are prosecuted under the Criminal Code, rather than assisted as victims.
65. **The Committee reiterates its recommendation that the State party undertake a national study on the nature and extent of sexual exploitation of children, and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress. The Committee urges the State party to review its legislation with a view to ensuring that children engaged in prostitution are not criminalized, but rather seen as victims of their circumstances. In this regard the State party should ensure that proper social support structures are available to victims of sexual exploitation in the area of reintegration and recovery. The Committee recommends that the State party carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation. Bilateral and regional cooperation should be reinforced, involving cooperation with neighbouring countries.**

Sale, trafficking and abduction (art. 35)

66. The Committee welcomes the recent efforts made by the State party to combat the phenomenon of trafficking and sale of children in the State party, including the establishment of an inter-agency commission to deal with trafficking in women and children and the amendment of the criminal code in April 2003 whereby trafficking and sexual exploitation are made specific criminal offences. However, the Committee notes

that a comprehensive policy to combat trafficking in women, girls and boys is still lacking. Furthermore the Committee is concerned that refugee children and children living in orphanages may be particularly at risk.

67. **The Committee recommends the State party to:**
- (a) Adopt and ensure the effective implementation of the National Program to Combat Trafficking, which is currently under consideration, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations by CEDAW in this respect (A/56/38 para 97);**
 - (b) Adopt measures to reduce vulnerability of children, especially refugee children and children living in orphanages, to traffickers and establish crisis centres, telephone helplines and social reintegration programmes for victims of trafficking and/or sexual exploitation;**
 - (c) Conduct further research related to the occurrence child trafficking and strengthen regional cooperation with countries to which Armenian children are trafficked and consider seeking technical cooperation of, inter alia, UNICEF, ILO and IOM in this respect.**
68. The Committee reiterates its concern about the situation of street children, who are amongst the most marginalized groups of children in Armenia.
69. **The Committee reiterates its recommendation that the State party establish mechanisms to ensure these street children are provided with identity documents, nutrition, clothing, and housing. Moreover, the State party should ensure these children have access to health care; reintegration services for physical, sexual, and substance abuse; services for reconciliation with families; comprehensive education, including vocational and life-skills training; and access to legal aid. The State party should cooperate and coordinate its efforts with civil society in this regard. The Committee also recommends that the State party undertake a study on the nature and extent of the phenomenon.**

Administration of juvenile justice (arts. 37, 39 and 40)

70. The Committee reiterates its concern about the absence of a system of juvenile justice, in particular the absence of specific laws, procedures and juvenile courts. The Committee is also concerned about: the length of pre-trial detention and the limited access to visitors in this period; the use of detention not as a measure of last resort, and the often disproportionate length of sentences in relation to the seriousness of offences; the conditions of detention; and the absence of facilities for the physical and psychological recovery and social reintegration of juvenile offenders.
71. **The Committee reiterates its recommendation that the State party take all measures to fully integrate into its legislation and practice the provisions of the Convention, in particular articles 37, 39 and 40, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System. In particular, the Committee encourages the State party to:**

- (a) Give priority attention to proposals of establishing specific courts to deal with all persons under the age of 18;
- (b) Develop and implement alternative measures to reduce the use and length of pre-trial detention and other custodial sentences;
- (c) Ensure that the deprivation of liberty of juveniles is only used as a measure of last resort, for the shortest possible time and that children have access to legal aid;
- (d) Ensure that training of prosecutors, judges, lawyers and other involved in the administration of justice is carried out systematically and consistently;
- (e) Develop programmes and provide facilities for the physical and psychological recovery and social reintegration of juveniles;
- (f) Seek technical assistance in the area of juvenile justice and police training from, inter alia, the Office of the High Commissioner for Human rights, the Centre for International Crime Prevention, and UNICEF.

D. 9. Ratification of the two optional protocols

72. The Committee notes that the State party in September 2003 signed the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child and encourages the State party to proceed to ratify both optional protocols.

D.10. Dissemination of the report

73. Finally, the Committee recommends that, in accordance with article 44, paragraph 6, of the Convention, the second periodic report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

D.11. Next report

74. In light of the recommendation on reporting periodicity adopted by the Committee and described in the report on its twenty-ninth session (CRC/C/114), the Committee underlines the importance of a reporting practice that is in full compliance with the provisions of article 44 of the Convention. An important aspect of States parties' responsibilities to children under the Convention is ensuring that the Committee on the Rights of the Child has regular opportunities to examine the progress made in the Convention's implementation. In this regard, regular and timely reporting by States parties is crucial. As an exceptional measure, in order to help the State party catch up with its reporting obligations in full compliance with the Convention, the Committee invites the State party to submit its third and fourth reports in one consolidated report by 22 January 2009, i.e. 18 months before the due date established in the Convention for the fourth

periodic report. The report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.
