

Legislative regulations and practice

According to the Law of the Republic of Armenia “On refugees and asylum” special guarantees are provided for women asylum seekers, taking into account their special situation and vulnerability. Pursuant to Article 51, Paragraph 7 of the Law it is defined that the interview with woman asylum seeker, upon the request of the latter, shall be performed by a female officer of the Authorized body, through a female interpreter if necessary.

Pursuant to the Republic of Armenia Government Decision No 1440 of November 19, 2009 “On approving the order of the placement of asylum seekers in temporary shelters and providing them with conditions for subsistence”, while placing asylum seekers in temporary placement center, the sex of the asylum seekers is taken into account along with some other circumstances. People of different sexes not belonging to the same family can't be placed in the same room.

Guarantees for placing women in separate rooms are provided by the legal act regulating the relations on keeping asylum seekers who entered the Republic of Armenia illegally, in the Republic of Armenia state border checkpoints or special shelters created in transit zones.

Pursuant to the Republic of Armenia Government Decision No 783-N of July 18, 2018 “On defining the order of the activity of special shelters in the state border checkpoints of the Republic of Armenia and transit zones and placement of foreigners there”, at least two rooms should exist in each checkpoint for people of different sexes. The personal inspection of foreigners by the representative of opposite sex is prohibited.

In allocating shelter to asylum seekers in the Republic of Armenia the preference is given to women asylum seekers and their children. If there is available spare room they are placed in the temporary placement center (“Special shelter” NCSO) functioning under the subordination of the Migration Service of the Republic of Armenia’s Ministry of territorial administration and development, where they are provided with livelihood conditions (with food and hygienic supplies), on account of the Republic of Armenia state budget and are exempted from utility bill payments.

Refugee women living in dormitories are exempted from paying the fee fixed for accommodation. In case of acquiring citizenship of the Republic of Armenia, they get the opportunity of privatizing the dormitory territories occupied by them. According to the Republic of Armenia Law on Refugees and Asylum asylum seeker and refugee women in the Republic of Armenia have the same rights to higher education as the citizens of the Republic of Armenia. Women recognized as refugees in the Republic of Armenia have the same rights as the citizens of the Republic of Armenia for the recognition of school certificates, diplomas and degrees, in the exemption from dues and fees and in the granting of scholarships.

Both asylum seekers in the Republic of Armenia, as well as refugee women already granted asylum have got the right to search for a job and work on the same terms, as the citizens of the Republic of Armenia, if their data comply with the requirements defined by the Republic of Armenia legislation for doing the job.

As vulnerable people, asylum-seeking women are also involved in the list of people receiving guaranteed by state free medical care and service.

Many asylum seekers, including women, whose refugee claim has been refused, apply to the court exercising their right to appeal the rejection decisions accepted by administrative body.

Pursuant to the Republic of Armenia Law on State duty they are exempted from paying stipulated by the Republic of Armenia legislation state fees in all court instances for examining their application (4,000 AMD in

Administrative Court of the Republic of Armenia, 10,000 AMD in the Administrative court of Appeal of the Republic of Armenia and 20,000 AMD in the Court of Cassation of the Republic of Armenia).

The Republic of Armenia Law on Social protection in case of population employment and unemployment also applies to the issues of refugees. Pursuant to Article 20 of the Law, refugees are included in the list of non-competitive groups and have the right of additional safeguards in social protection. Employment programs are implemented equally both for men and women.

As a more vulnerable group, refugee women are given a special attention in different programs implemented for refugees. The evidence of this are the recent programs financed by UNHCR office in Armenia, including “Sexual and gender based violence prevention and response” program implemented by the Armenian Red Cross Society, which refers to both men and women refugees having psychological disorders or being victims of sexual and gender violence, and excludes discrimination towards this or that sex. The program focuses on the provision of psychological services to the latter, and if necessary, guide them to field specialists and other institutions, as well as satisfy their medical, legal, social and other needs.

Obstacles and possible solutions

Despite the fact that the legislative bodies of the Republic of Armenia have constantly kept in the center of attention the issues of asylum-seeking and refugee recognized women and have tried to give legislative solutions to them, there still exist certain problems connected with the difficulties of identifying the latter as people belonging to a risk group or as victims of gender-based violence.

This question is urgent today also because of the fact, that in 2018-2019 a number of asylum claims were submitted to Migration Service, where gender-based persecutions were (regardless whether the persecuted is a man or woman) presented as grounds for appeal. The full, objective and comprehensive investigation of such asylum claims is possible only if the employees involved in the case have undergone appropriate training and have the skills of running such cases. In this context, the cooperation with UNHCR and exchange of experience with bodies dealing with asylum issues, particularly the development and implementation of training programs for the employees of Migration Service department of asylum issues and legal support is of high importance.