**ADVANCE QUESTIONS TO ARMENIA (SECOND BATCH)**

**PORTUGAL on behalf of the Group of Friends on NMIRF’s**

* Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
* Has the State-under-review established a dedicated ‘national mechanism for implementation, reporting and follow-up’ (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms, which, *inter alia*, clusters all the above, manages them in national databases, coordinates implementation actions across government, monitors progress and impact, and then streamline reporting procedures back to the UN? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

**BELGIUM**

* What is the state of play of the ratification process of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty?
* How does the government of Armenia intend to further strengthen relevant legislation to combat violence against women, including domestic violence? Which steps will be taken to promote the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)? Which improvements are considered in terms of legal assistance and access to courts for victims of gender-based violence?
* Which preventive measures has the government of Armenia implemented to combat human trafficking of women and children?
* Which legislative work has been undertaken to guarantee a follow-up of complaints regarding abuses by security forces and police?
* Which measures has the government of Armenia taken to guarantee immediate follow-up and investigations of claims regarding violence against LGBTI citizens? Can the government of Armenia provide more details on the measures taken to ensure that there is no discrimination in the application of the laws governing the rights to freedom of peaceful assembly and of association, in particular regarding the groups most at risk, such as national and religious minorities, LGBTI citizens, children and women?

**UNITED STATES OF AMERICA**

* The United States is closely monitoring the status of labor law reforms and the creation of a labor inspectorate in Armenia. Does the Government of Armenia intend to re-establish a fully functioning labor inspectorate, with sufficient staff and resources to ensure compliance with Armenia’s labor laws?
* How will the Government of Armenia foster religious tolerance, prevent faith-based discrimination, and promote interfaith dialogue?  What steps is the Government of Armenia taking in primary and secondary schools to accommodate the concerns of religious minorities?

**AZERBAIJAN**

* In 2016, the Committee on Elimination of Discrimination against Women (CEDAW) expressed its concerns about the lack of comprehensive legal provisions prohibiting discrimination against women, and Armenia's preference for gender-neutral policies and programmes, which leads to inadequate protection for women against direct, as well as indirect, discrimination, hinder the achievement of formal and substantive equality between women and men and result in a fragmented approach to the recognition and enforcement of women's human rights.

What concrete measures is Armenia taking in order to bring into its legislation relevant provisions prohibiting discrimination against women and which steps were taken by the Government with respect to the policies and programmes mentioned with concern by the Committee?

* CEDAW was also concerned by the failure of the Compulsory Enforcement Service of the Ministry of Justice to enforce court decisions on child custody, as well as stigmatization and discrimination faced by women claiming violations of their rights. At the same time, Committee expressed its concern on the limited effectiveness of the several mechanisms in charge of monitoring and implementing gender policies, owing to difficulties in coordination among them.

What measures were taken by the Government of Armenia in order to raise the efficiency of the relevant agencies as well as mechanisms to ensure the timely and effective execution of court decisions and implementation of respective policies? To which extent could the Government address the difficulties of coordination among those mechanisms?

* CEDAW noted with concern the existence of vertical and horizontal gender segregation in the labour market, the high unemployment rate among women, and the concentration of women in part-time work and low-paid jobs in the informal sector. Additionally, it raised its concerns about persistently low levels of participation of women at the highest levels of decision-making, such as in the National Assembly, the Government, regional and local municipalities, the judiciary and the foreign service, as well as in mechanisms for the prevention, management and resolution of conflict.

Which programs and policies were adopted by Armenia aiming to lower the unemployment rate among women, eliminate gender segregation in the labour market, as well as enable participation of women in political and social life of the country, including through representation in managerial and high level decision-making positions?

* In 2017, the Committee on the Rights of Persons with Disabilities (CRPD) expressed its concerns over lack of concrete, effective and transparent measures taken by the National Commission for Persons with Disabilities to implement the Convention on the Rights of Persons with Disabilities.

Which reforms were held by Armenia in order to raise the concreteness, effectiveness and transparency of measures taken by the abovementioned institution? Were the appropriate steps taken by the Government in order to effectively oversee the activities of this institution?

* CRPD was concerned about the overall lack of accessibility for persons with disabilities in Armenia. It is also concerned about the lack of implementation of the existing accessibility norms and standards set out in the national legislation to eliminate obstacles and barriers relating to facilities, urbanism, construction and public services such as transport, information and communication services.

What concrete steps are being taken by the Government of Armenia to eliminate the obstacles and physical barriers preventing persons with disabilities to exercise their basic rights in the country?

* CRPD expressed its concerns about the inhuman and degrading treatment of persons with disabilities in institutions, including children with intellectual and/or psychosocial disabilities in specialized institutions, perpetrated by staff members, caregivers and other residents, as well as about neglect and the use of physical restraints as means of treatment and punishment. It was also concerned about the inefficiency and inadequacy of complaints systems and the lack of monitoring of institutions.

What measures were taken by Armenia in order to combat this kind of treatment with persons with disabilities and hold those responsible to account?

* CRPD also raised the issue of structural barriers preventing persons with disabilities from obtaining passports and identity cards on an equal basis with others.

Which steps were taken for establishing effective and inclusive public service system in Armenia that would meet needs and concerns of persons with disabilities on an equal basis?

* Concerns have been voiced with regard to the accessibility to services for persons with disabilities in Armenia.

When is Armenia going to adopt appropriate measures to ratify Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, as recommended by the Committee on the Rights of Persons with Disabilities (CRPD)?

* In 2017, the Committee on the Elimination of Racial Discrimination (CERI)) was concerned by the absence of legislation criminalizing racist organizations and participation in such organizations, which is not in line with the provisions of the Convention on the Elimination of All Forms of Racial Discrimination.

Which measures have been taken throughout these years to legally prohibit incitement to hatred and violence? Does Armenia intend to bring its legislation in line with the Convention?

* CERD also expressed its concerns about the reports of racist hate speech and discriminatory statements in public discourse, including by public and political figures and in the media, in particular on the Internet, mainly against religious minorities, asylum seekers and refugees.

Which concrete steps have been taken by the authorities of Armenia to prevent, investigate and bring to justice cases of hate speech and to address discriminatory attitudes, perceptions and stereotypes against religious and ethnic minority groups?

* In 2012, The Committee against Torture (CAT) expressed its concern on the routine use of torture and ill-treatment on the suspects in police custody in Armenia. In 2017, The Committee again noted that the recommendations identified for follow-up in its previous concluding observations concerning allegations of torture and ill-treatment in police custody, fundamental legal safeguards and investigations into allegations of torture and/or ill-treatment and impunity have not yet been fully implemented.

What measures are being undertaken to prevent widespread practice of tortures and ill-treatment by Armenian law enforcement agencies in order to fulfil the recommendations given by the Committee throughout these years? Is Armenia taking steps aimed at putting an end to the climate of impunity in the country?

* CAT also noted that Armenia should ensure that pardon, amnesty and any other similar measure leading to impunity for acts of torture are prohibited both in law and in practice.

What legal and practical steps have been taken to ensure prohibition of such measures that lead to impunity for acts of torture?

* CAT remained concerned at allegations that, in practice, forced confessions are still used as evidence in courts. It also noted the lack of information on the number of cases in which the courts have ruled inadmissible evidence obtained through torture.

Is Armenia taking any steps against this practice where persons in detention facilities are tortured in order to give confessions? What concrete steps are taken in order to identify and eliminate the illegal rulings by the judiciary based on evidences obtained through torture?

* CAT also raised its concerns about a very low rate of conditional release and the lack of clear procedures for the early release of prisoners, including on health grounds in Armenia.

What measures are taken by Armenia in order to set legislation clearly indicating the mechanisms and procedures for conditional and early release? Which state policies or programmes are adopted or planned to be adopted by the Government of Armenia that will encourage the preference of such measures by judiciary?

* Throughout many years Armenia conducted glorification of Nazism, and state sponsored terrorism along with anti-Azerbaijanism where streets, squares, educational institutions are being named to honour Nazi "heroes", while glorification of Nazi collaborators has consistently been condemned by the international community.

The most notorious of them is Garegin Nzhde (Garegin Ter-Arutyunyan) whose crimes resulted in execution of thousands of innocent civilians of numerous nationalities, including Slavs and Jews. The Armenian Government erected a monument for Garegin Nzhde in the centre of the capital of Armenia in 2016.

Does the Government of Armenia intend to take appropriate steps to ensure full implementation of its international obligations and commitments in the area of combating glorification of Nazism, neo-Nazism and related discrimination, xenophobia and intolerance through eradicating any manifestation of Nazi glorification in the territory of the country?

* The Human Rights Committee was concerned about limitations and restrictions on religious freedom in Armenia. There are numerous reports on the negative public attitudes and intolerance towards religious minority organizations.

What measures has the Government of Armenia taken to address religious intolerance and to lift the restrictions on the religious freedom in Armenia?

* As a result of a total ethnic cleansing conducted by the Government of Armenia against its ethnic Azerbaijani citizens in 1988, more than 350,000 ethnic Azerbaijanis have been expelled from Armenia and found refuge in Azerbaijan and other countries.

What measures the Government of Armenia will take to reverse the ethnic cleansing of around 350, 000 ethnic Azerbaijanis by ensuring their return to their places of origin in safety and dignity, and providing adequate compensation for violations of their rights?

* The Government of Armenia accepts and grants citizenship to the refugees of Armenian origin fleeing the conflicts in Syria and Iraq. However, there have been numerous cases of settling these refugees in the occupied Nagorno-Karabakh and other adjacent territories of Azerbaijan in obvious violation of the principles and norms of international humanitarian and human rights law.

When the Government of Armenia will stop violating the international humanitarian and human rights law, including by halting and reversing settlement of Syrian refugees in the occupied territories of Azerbaijan?

* In July 2014, while visiting the graves of their parents in the occupied Kalbajar region of Azerbaijan, two Azerbaijani civilians, Dilgam Askarov and Shahbaz Guliyev, were captured and one civilian, Hasan Hasanov, was killed by the Armenian military in the occupied territories of Azerbaijan. On 2 October 2014, the body of Hasan Hasanov was returned with the assistance and mediation of ICRC. Dilgam Asgarov "received life imprisonment" and Shahbaz Guliyev "was sentenced to 22 years" within the fabricated criminal case by the illegal separatist entity, established by Armenia in the occupied territories of Azerbaijan. The photos of Dilgam Asgarov and Shahbaz Guliyev before and after the illegal imprisonment prove that they are subject to inhuman treatment in captivity. During the last six years, grossly violating its commitments deriving from the international human rights and humanitarian law, Armenia has been consistently refusing to return the above-named persons to Azerbaijan.

What measures will the Government of Armenia undertake to return the Azerbaijani civilians and restore their violated rights?

* On 16 June 2015, the Grand Chamber of the European Court of Human Rights announced its judgment (Merits) on the case of Chiragov and others v. Armenia (Application no. 13216/05). The case originated in an application against the Republic of Armenia lodged with the Court on 6 April 2005 by six Azerbaijani nationals forcibly displaced from the occupied Lachin district of Azerbaijan during the Armenian occupation. The Court ruled in favor of the applicants, recognizing continuing violations by Armenia of a number of their rights under the Convention for the Protection of Human Rights and Fundamental Freedoms, namely, those relating to the protection of property, the right to respect for private and family life and the right to an effective remedy. Furthermore, the decision has effectively dismissed Armenia's persistent denial of the responsibility for the occupation of the territories of Azerbaijan.

What measures has the Government of Armenia has taken to implement the judgment of the European Court of Human Rights on the Chiragov and others v. Armenia?

* Many concerns have been expressed over the child sexual abuse and exploitation in Armenia.

How will the Government of Armenia address the recommendations of the SR on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, and when will Armenia become a party to the Lanzarote Convention?

* Metsamor Nuclear Power Plant (NPP) located in the active seismic zone in Armenia is the only NPP in the world that operates on the basis of the same technology that was used in the Chernobyl nuclear power plant. Using outdated technology in the NPP situated in the active seismic zone poses serious environmental problems to Armenia and the region, and causes radioactive contamination of water basins and trans-regional rivers. Moreover, the operation of the station is non-transparent and the public is not informed about the technical problems and accidents that occur in a sustainable manner. "National Geographic" has rated the Metsamor nuclear power plant as the most dangerous among all existing NPP's. European Union called it "a danger to the entire region".

When will the Government of Armenia close down the dangerous Metsamor NPP?