



Global Initiative to
**End All Corporal Punishment
of Children**

ARMENIA

BRIEFING FOR THE HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW – 8th session, 2010

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Corporal punishment of children breaches their rights to respect for human dignity and physical integrity and to equal protection under the law. It is recognised by the Committee on the Rights of the Child and other treaty bodies, as well as by the UN Secretary General's Study on Violence against Children, as a highly significant issue, both for asserting children's status as rights holders and for the prevention of all forms of violence.

The Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) has been regularly briefing the Committee on the Rights of the Child on this issue since 2002, and since 2004 has similarly briefed the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on Economic, Social and Cultural Rights, and the Human Rights Committee. There is growing progress now across all regions in challenging this very common form of violence against children. But we are concerned that many States persist in ignoring treaty body recommendations to prohibit and eliminate all corporal punishment. We hope that the UPR Process will give particular attention to states' response, or lack of response, to the concluding observations from treaty bodies, on this and other key issues.

In June 2006, the Committee on the Rights of the Child adopted General Comment No. 8 on "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment", which emphasises the immediate obligation on states parties to prohibit all corporal punishment of children, including within the home. Other treaty bodies, and regional human rights mechanisms, have condemned all corporal punishment. In October 2006, the report of the UN Secretary General's Study on Violence against Children was submitted to the General Assembly. It recommends universal prohibition of all corporal punishment, setting a goal of 2009.

Summary

This briefing describes the legality of corporal punishment of children in Armenia despite the repeated concerns and recommendations of the Committee on the Rights of the Child and the European Committee of Social Rights. We hope the Review will highlight the importance of prohibition of corporal punishment of children, including within the family home, and strongly recommend that the government enact and implement legislation to ensure complete prohibition.

1 Legality of corporal punishment in Armenia

1.1 Corporal punishment is lawful in the **home**. Article 9 of the Rights of the Child Act (1996) states that every child has the right to protection from any form of violence and that no one, including parents or their official representatives, may abuse or punish a child in a degrading manner. This is not interpreted as prohibiting corporal punishment by parents.

1.2 A 2002 survey by the Armenian Relief Society of 550 parents and 550 children, together with interviews among 100 teachers, 100 neighbours, and 50 specialists from social, educational, health and legal spheres, found a high prevalence of physical abuse in families. A third of parents (33.3%), particularly young mothers, were in favour of slapping and beating in disciplining children. Preliminary analysis revealed that beating and slapping were also common in schools.¹

1.3 Corporal punishment is unlawful in **schools**, but we have no details of applicable law. It is unlawful in the **penal system**, but there is no prohibition in **alternative care settings**.

2 Recommendations by human rights treaty monitoring bodies

2.1 In its concluding observations on the state party's second report in 2004, the **Committee on the Rights of the Child** recommended prohibition in law of corporal punishment in all settings (CRC/C/15/Add.225, para. 40). The Committee made similar recommendations following examination of the initial report in 2000 (CRC/C/15/Add.119, para. 33).

2.2 In 2007, the **European Committee of Social Rights** concluded that the situation in Armenia is not in conformity with the Revised Social Charter because corporal punishment in the family and alternative child care is not prohibited (*Conclusions XVIII-1, vol.1*).

¹ Urumova, I., Galvastian, M. & Tevosyan, A. (2003 in progress), "Violence against children and women in Armenia", Armenian Relief Society/UNICEF