

Additional Information to the Alternative Report On Implementation Of The UN Convention On The Rights Of The Child By The Republic Of Armenia (Fifth and Six Joint Report)

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Consequences of Azerbaijan's blockade of Nagorno-Karabakh, military operations and the entailing forced displacement in terms of violation of children's rights

Since 12 December 2022, Lachin corridor, the only road connecting Nagorno-Karabakh to Armenia and the world, was shut down, as a result of which 120,000 residents of Nagorno-Karabakh, including 30,000 children, were under siege. Throughout the blockade, children's right to education, as well as their right to an adequate standard of living (water, food, heating, medical service, etc.) were violated. The children were obliged to stand in queues at nights to get some bread, and hide in basements from shellings during military operations.

After the 9-month-long blockade, on 19 September 2023, Azerbaijan unleashed a new large-scale aggression against Nagorno-Karabakh, as a result of which, more than 100,000 people, including 30,000 children, were forcibly displaced, being obliged to leave their residence places. Several minors had to drive cars to transfer their families from Nagorno-Karabakh to Armenia, like 13-year-old Gor¹, who spent almost three days driving while his father was at the front, or 12-year-old Karen², who had to drive for 40 hours.

September aggression and forced deportation again led to violation of children's right to education, as well as their right to an adequate standard of living. Having been deprived of their right to live in their apartments, so far most of them have not been provided with apartments of minimum living standards in Armenia. Further, they were left out of educational processes for about 2 months. UNICEF Armenia warns that more than 30,000 children have fled their homes since the escalation of hostilities in their communities and all are at risk of deteriorating mental health without immediate support³.

¹ Karabakh Boy Drives For Days To Bring Family To Safety In Armenia, 03.10.2023, RFE/RL's Armenian Service, available at <https://www.rferl.org/a/armenia-nagorno-karabakh-boy-drives-family-/32621424.html>

² 12-year-old Karen drove 40 hours and brought his family from Artsakh to Armenia, article, available at <https://www.1in.am/3330116.html>

³ Refugee children arriving in Armenia showing signs of severe psychological distress - UNICEF, 10.10.2023, available at <https://www.unicef.org/armenia/en/press-releases/refugee-children-arriving-armenia-showing-signs-severe-psychological-distress-unicef>

Cases of violence against minors by Police of the Republic of Armenia

Since 2015, HCA Vanadzor has been monitoring mass media to study cases of human rights violations by Police.

For the first time in 2022, a large number of cases of violence against minors were recorded. Within at least 10 days, more than 15 minors were detained, often with use of disproportionate force, one minor received bodily injuries, while two others were subjected to beating and degrading treatment by police officers.

While cases of use of disproportionate force against and detention of minors were recorded during assemblies in 2022, cases of violence against minors by police officers were also recorded in police stations in 2023. In particular, on 9 February 2023, Erebuni division Operational Intelligence Department officers used brute force to detain minor students, beat and tortured them⁴, and impeded exercise of their right to legal aid by using violence against the minors' advocates as well.

Further, a minor participating in the assembly was arrested. The minor was detained on 19 September 2023, and a decision on arresting him was issued on 29 October 2023.⁵ A decision was also made to arrest the single mother of two minor children who participated in the assembly.

Araz Amiryan's case: On 1 June 2023, a footage went viral showing Arsen Ghaytmazyan, Head of the criminal investigation department of the Dilijan department of the Ministry of Internal Affairs, beating a 16-year-old hotel worker. The incident had occurred 1,5 months before the footage went viral. On 10 April 2023, Head of the criminal investigation department of the Dilijan department of the Ministry of Internal Affairs, drunk, approached the young hotel worker and wanted to book a room. Upon hearing that he had to pay for the room, he started beating the minor.⁶ While this incident is completely inadmissible, it is also worrisome and problematic that the law enforcement system voiced about it and made a statement only after the footage went viral.

⁴ "I personally saw the footage of children being beaten", NA MP publishes a photo 10.02.2023, available at <https://news.am/arm/news/744162.html>

⁵ A minor from Artsakh, whose family has two persons with disabilities, and who has only one parent, got arrested 29.10.2023, available at <https://news.am/arm/news/789543.html>

⁶ Prosecutor's Office decides not to initiate a criminal prosecution against police officer who repeatedly hit a 17-year-old minor 01.06.2023, available at <https://www.azatutyun.am/a/32439033.html>

A month after the incident, the Investigative Committee instituted a criminal case under the article of physical impact, and the minor was recognized as a victim. The Prosecutor's Office decided not to charge the Head of the criminal investigation department of the Dilijan department of the Ministry of Internal Affairs based on "active remorse".⁷ The investigator had a very formalistic approach to the case, as he used the mechanism of active remorse through mutual agreement, not taking into account that the one who committed the crime was a high-ranking official of law enforcement, who carries even greater responsibility and obligation in terms of maintaining rule of law. Only two months after the incident took place, after a public outcry, the Prosecutor's Office decided to institute a criminal prosecution against the Head of the criminal investigation department of the Dilijan department of the Ministry of Internal Affairs for hitting the minor.⁸

Education quality

Low quality of education is worrisome in terms of exercise of children's rights. This is evidenced by results of children's knowledge tests. In particular, in 2022, the Armenian language and mathematics knowledge checks were conducted in 40 public schools (6th, 9th and 11th grades). The average score for the Armenian language dictation was 5.5, while the one for mathematics knowledge check was 4.2. 47.7% of pupils failed the test by giving incorrect answers to more than half of the questions. This indicator is even lower than 35% of functional illiteracy recorded by the World Bank. In 2023, 5.3 was the average score of around 4500 pupils of 6th, 9th and 11th grade for the Armenian language dictation in 43 public schools, and 4.3 is their average score for mathematics knowledge check.

Given that the minimum passing score is 4 in Armenia, pupils' average score barely passes the threshold.

These numbers are also worrisome as those subjects are, as a rule, in the center of parents' attention, and children often attend additional tutoring.

⁷ Covering up beating of a waiter: the apology is fake, the problem is systematic 02.06.2023, available at <https://epress.am/2023/06/02/lawlessness-police.html>

⁸ The Prosecutor decides to initiate a criminal prosecution against the police officer who hit a 17-year-old minor 02.06.2023, available at <https://www.azatutyun.am/a/32441530.html>

“Helsinki Citizens’ Assembly-Vanadzor would like to thank the Swedish International Development Cooperation Agency, the Democracy Development Foundation, the Sigrid Rausing Trust for making this publication possible. Views and analyzes presented in the report are those of the authors and do not necessarily reflect views and positions of mentioned organizations.”



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