



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the seventh periodic report of Armenia\*

1. The Committee considered the seventh periodic report of Armenia (CEDAW/C/ARM/7) at its 1913th and 1915th meetings (CEDAW/C/SR.1913 and CEDAW/C/SR.1915), held on 12 and 13 October 2022. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/ARM/Q/7, and the responses of Armenia are contained in CEDAW/C/ARM/RQ/7.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/ARM/CO/5-6/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its multisectoral delegation, which was headed by the Deputy Minister of Labour and Social Affairs, Tatevik Stepanyan, and included representatives of the Ministry of Justice, the Ministry of Education, Science, Culture and Sports, the Ministry of Economy, the Ministry of Foreign Affairs, the Ministry of Health, the Ministry of Territorial Administration and Infrastructure, the Ministry of Defence, the national police, the Statistical Committee, the Commission on Television and Radio, the Education Inspectorate and the Permanent Mission of Armenia to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2016 of the State party's previous report (CEDAW/C/ARM/5-6) in undertaking legislative reforms, in particular the adoption of the following:

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\* Adopted by the Committee at its eighty-third session (10-28 October 2022).



(a) New Criminal Code, introducing criminal liability for forced sterilization and abortion, as well as for forced marriage, divorce or pregnancy, in 2021;

(b) Law on the prevention of violence within the family, protection of victims of violence within the family and restoration of peace in the family, in 2017.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

(a) First (2019–2021) and second (2022–2024) national action plans for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, in 2019 and 2022, respectively;

(b) National action plan on combating trafficking in persons for the period 2020–2022, in 2020;

(c) Strategy for gender policy implementation for the period 2019–2023, in 2019;

(d) Action plan relating to the national strategy for human rights protection for the period 2020–2022, in 2019.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the following international instruments:

(a) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in 2021;

(b) Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2021;

(c) Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2020.

### **C. Sustainable Development Goals**

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Armenia and to adopt relevant policies and strategies to that effect.**

### **D. Parliament**

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

## E. Principal areas of concern and recommendations

### General context

9. The Committee welcomes the State party's efforts on and commitment to peacebuilding, the consolidation of human rights, democratic institutions and the rule of law, and sustainable development. It acknowledges the complex political, economic and security constraints on the State party during the reporting period, which were aggravated by the coronavirus disease (COVID-19) pandemic and the impact of the Nagorno-Karabakh conflict and continued armed hostilities, notwithstanding the trilateral statement of 9 November 2020 by the Prime Minister of Armenia, the President of Azerbaijan and the President of the Russian Federation, and which pose a challenge to the implementation of the Convention. In this regard, it notes that the State party has been facing a volatile situation marked by human suffering, forced displacement, economic instability and the rise of violence and insecurity, including sexual and gender-based violence. The State party has also experienced the hardening of traditional and patriarchal attitudes that limit the enjoyment by women and girls of their rights, particularly in the case of disadvantaged groups of women, such as internally displaced women, women in a refugee-like situation, rural women, older women, women with disabilities, women belonging to ethnic minorities, and lesbian, bisexual, transgender and intersex women. Nevertheless, it considers that implementation of the Convention, especially at times of conflict, is the most effective means of safeguarding full respect for, and the realization of, women's rights, given that women are a driving force of the country's socioeconomic development.

**10. The Committee calls upon the State party to implement the recommendations contained in the present concluding observations as a matter of high priority, giving due consideration to its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and to its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, with a view to achieving substantive equality between women and men in all areas covered by the Convention, promoting women's leadership in peace processes and ensuring that the State party is able to experience sustainable human, social and economic development.**

### Women and peace and security and internally displaced women and women in a refugee-like situation

11. The Committee notes as a positive development the adoption of the first and second national action plans for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, which together cover the period 2019–2024. Nevertheless, the Committee is concerned about the status of women and girls, especially those who are internally displaced or are in a refugee-like situation, who have limited access to education, employment, health care and housing and are inadequately protected from gender-based violence. It is also concerned that women have been marginalized and are not actively and meaningfully participating in all stages of peace and reconstruction processes, and that women's priorities and their experiences of the armed conflict have not been fully integrated into those processes.

**12. The Committee highlights as critical the meaningful and inclusive participation of women at all stages of peace and reconstruction processes so that women's priorities and experiences of the armed conflict are fully integrated into those processes, as required under the Convention and Security Council**

resolution **1325 (2000)**, with a view to achieving a lasting peace. The Committee recalls its general recommendation No. 30 and recommends that the State party:

(a) Take into consideration the full spectrum of the women and peace and security agenda, as reflected in Security Council resolution **1325 (2000)** and follow-up resolutions;

(b) Adopt a model of substantive equality that addresses gender-based violence and discrimination against women, including intersecting forms of discrimination, particularly against internally displaced women, women in a refugee-like situation, refugee women and conflict-related widows;

(c) Ensure that women from diverse backgrounds, including those belonging to ethnic minorities, internally displaced women and women in a refugee-like situation, are able to participate in a meaningful and inclusive manner in all stages of the peace process and in all reconstruction initiatives, in particular with regard to the implementation of the second national action plan for the implementation of Security Council resolution **1325 (2000)**;

(d) Integrate gender-responsive budgeting into the national action plans for the implementation of Security Council resolution **1325 (2000)**, define indicators for regular monitoring of their implementation and establish accountability mechanisms;

(e) Address in a sustainable manner the specific needs of internally displaced women and girls and of those in a refugee-like situation, who often face intersecting forms of discrimination, including widows, women and girls with disabilities, older women, women and girls belonging to ethnic minorities, and lesbian, bisexual, transgender and intersex women;

(f) Ensure that internally displaced women and girls and those in a refugee-like situation have adequate access to justice, education, health care, food, shelter, freedom of movement, official registration, social benefits and sustainable employment opportunities.

#### **Legislative framework**

13. The Committee notes that article 30 of the Constitution enshrines the principle of equality of men and women before the law. However, it is concerned about the inadequate enforcement of the legislation on guaranteeing equal rights and opportunities for women and men (2013), the insufficient budgetary allocations for its monitoring and implementation, and delays in the enactment of the draft law on legal equality, which has been pending adoption since 2019.

14. **The Committee recommends that the State party expedite adoption of the draft law on legal equality, and ensure that the new legislation prohibits discrimination against women, including direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere.**

#### **Access to justice**

15. The Committee welcomes the establishment of a legal equality council to guarantee equal protection of rights through administrative and civil procedures. However, it notes with concern persistent barriers to women's and girls' access to justice, including their limited knowledge of their rights and of the remedies available

when they are denied these, as well as the limited capacity of the judiciary and law enforcement officials to apply the Convention.

**16. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party address the barriers to women's and girls' access to justice, including by:**

(a) **Safeguarding the independence of the judiciary and significantly strengthening capacity-building and awareness-raising campaigns to eliminate judicial gender bias and persistent gender stereotypes within the judiciary, the police and other law enforcement agencies;**

(b) **Strengthening awareness-raising among women and girls – including in rural areas and among women belonging to disadvantaged groups, such as internally displaced women, women in a refugee-like situation, women with disabilities and older women – about the legal remedies available to redress violations of their rights.**

#### **National machinery for the advancement of women**

17. The Committee notes with appreciation the reinstatement, through a prime ministerial decree, of the Council on Ensuring Equal Rights and Equal Opportunities between Women and Men as a national mechanism for the monitoring and implementation of gender equality policies. However, it is concerned that the Council is not convened regularly and that it lacks the status of a line ministry, which undermines its mandate to ensure that gender equality policies are implemented effectively and that a gender perspective is mainstreamed across all government departments.

**18. The Committee, recalling its general recommendation No. 6 (1988) on effective national machinery and publicity, as well as the guidance provided in the Beijing Declaration and Platform for Action, notably regarding the conditions necessary for the effective functioning of national machineries for the advancement of women, reiterates its previous recommendations (CEDAW/C/ARM/CO/5–6, para. 13) and recommends that the State party:**

(a) **Consider elevating the status of the Council on Ensuring Equal Rights and Equal Opportunities between Women and Men to that of a line ministry responsible for women's affairs, with a solid executive mandate and adequate human, technical and financial resources to coordinate all public policies and strategies for gender equality and the advancement of women, including gender-responsive budgeting and relevant gender units operating at the regional and local levels;**

(b) **Conduct systematic training on women's rights and gender equality for civil servants upon initial appointment and as part of regular refresher courses, and monitor progress on gender mainstreaming across all sectors;**

(c) **Strengthen the framework for gender equality through increased cooperation between the national machinery and regional and local authorities, as well as with civil society, in particular women's rights organizations.**

#### **National human rights institution**

19. The Committee notes with appreciation that the Armenian Human Rights Defender has been accredited with "A" status by the Global Alliance of National Human Rights Institutions since 2006, which was reviewed and confirmed in 2021, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It also welcomes the

Human Rights Defender's intervention during the constructive dialogue with the State party. However, the Committee is concerned that the Human Rights Defender's mandate does not comprehensively address protection of the rights of lesbian, bisexual, transgender and intersex women.

**20. The Committee recommends that the State party implement the recommendations of the Global Alliance of National Human Rights Institutions by providing the Office of the Human Rights Defender with adequate human, technical and financial resources to discharge its mandate effectively, independently and in compliance with the Paris Principles, and to strengthen its efforts aimed at promoting women's rights and combating discrimination, including with regard to lesbian, bisexual, transgender and intersex women. It also recommends that the State party support the Office in implementing the recommendations of the Subcommittee on Accreditation of the Global Alliance, and that it seek technical assistance to that end from the Office of the United Nations High Commissioner for Human Rights.**

#### **Temporary special measures**

21. The Committee welcomes the State party's efforts to introduce temporary special measures aimed at increasing the participation of women in political and public life. However, it is concerned at the limited use of such measures in areas such as education, employment and decision-making, where women are underrepresented and disadvantaged, in particular rural women, internally displaced women and girls, women and girls in a refugee-like situation, women belonging to ethnic minorities and women with disabilities.

**22. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

**(a) Adopt temporary special measures and establish time-bound targets to accelerate the achievement of substantive equality between women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, in both the public and private sectors, especially at the decision-making level, and with particular attention paid to rural women, internally displaced women, women in a refugee-like situation, women belonging to ethnic minorities and women with disabilities;**

**(b) Establish mechanisms to monitor the implementation of such measures and assess their impact in terms of achieving substantive equality between women and men, and introduce appropriate penalties for non-compliance;**

**(c) Systematically collect data on the impact of the temporary special measures and include such data in its next periodic report.**

#### **Stereotypes and harmful practices**

23. The Committee remains concerned about:

(a) The persistence of hate speech, patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society, as well as in educational materials and the media, which entail women being considered primarily as mothers and caregivers, and the continued practice of sex-selective abortion;

(b) The absence of a comprehensive strategy to address discriminatory gender stereotypes and of capacity-building activities on the use of gender-responsive language for public officials and media professionals, as well as in the business sector.

24. **The Committee reiterates its previous recommendations (CEDAW/C/ARM/CO/5–6, para. 15) and recommends that the State party:**

(a) **Develop and implement a comprehensive strategy, including for the online domain, targeting community and religious leaders, teachers, girls and boys, and women and men to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, and develop and introduce a set of targets and indicators to systematically measure the impact of the strategic interventions undertaken;**

(b) **Provide relevant public officials and media workers, as well as representatives of the business sector, with training in the use of gender-responsive language to address discriminatory gender stereotypes, combat the objectification of women and promote the positive portrayal in the media of women as active drivers of development;**

(c) **Take targeted measures, including awareness-raising activities, to promote the equal sharing of domestic and childcare responsibilities, as well as responsible fatherhood.**

#### **Gender-based violence against women**

25. The Committee notes the State party's efforts to combat gender-based violence against women, in particular the adoption, in 2017, of a law on the prevention of violence within the family, protection of victims of violence within the family and restoration of peace in the family, the amendments to the Criminal Code, and the establishment, in 2018, of the Council on the Prevention of Violence in the Family. However, it is concerned about the high incidence of gender-based violence against women in the State party, including a stark increase in cases of domestic violence during the COVID-19-related lockdown. It also notes with concern the absence of criminal law provisions specifically criminalizing all forms of gender-based violence, together with the inadequate protection from gender-based violence afforded to women and girls facing intersecting forms of discrimination, including women and girls belonging to religious and ethnic minorities, women and girls with disabilities, internally displaced women, and women and girls in a refugee-like situation.

26. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:**

(a) **Amend the Code of Criminal Procedure and the law on the prevention of violence within the family, protection of victims of violence within the family and restoration of peace in the family to ensure that all forms of gender-based violence against women are specifically criminalized, taking into account the special protection needs of disadvantaged and marginalized groups of women, including women with disabilities, migrant women, internally displaced women and women in a refugee-like situation;**

(b) **Ensure that protection orders are issued, enforced and monitored in a timely and effective manner in cases of domestic violence, including, where appropriate, expulsion orders, and impose adequate deterrent penalties for non-compliance with such orders;**

(c) **Encourage the reporting of all forms of gender-based violence against women and girls, including domestic and sexual violence, ensure that all such**



cases are effectively investigated and that perpetrators are prosecuted *ex officio* and adequately punished, and ensure that police officers who fail to take action or who dissuade victims from filing complaints are held accountable;

(d) Ensure that women and girls have access to justice, including by means of reasonable procedural accommodations, and encourage them to report gender-based violence to the law enforcement authorities, including through affordable and, if necessary, free legal aid; relax the burden of proof on complainants; ensure that access to forensic evidence is affordable; and continue to build the capacity of judges, prosecutors, the police and other law enforcement officers with regard to gender-sensitive investigation and interrogation methods;

(e) Continue to provide victim support services and protection, including a round-the-clock hotline, adequate and accessible shelters, medical treatment, psychosocial counselling and economic support, in all regions of the State party's territory;

(f) Intensify awareness-raising activities for the general public on the criminal nature of all forms of gender-based violence, including domestic and sexual violence, and on the importance of women being able to report such cases to the law enforcement authorities without fear of reprisal, stigmatization or revictimization;

(g) Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

#### **Trafficking in women and exploitation of prostitution**

27. The Committee welcomes the adoption of a national action plan on combating trafficking in persons for the period 2020–2022, as well as the development of a handbook for law enforcement officers on indicators of trafficking in persons to follow up on the action plan's implementation, and the establishment of an inter-agency anti-trafficking working group. However, the Committee notes with concern that the State party remains a country of origin for trafficking in women and girls for the purposes of sexual and labour exploitation. It also notes with concern:

(a) The lack of progress on addressing the root causes of trafficking in persons, in particular women and girls, such as poverty and discriminatory gender stereotypes;

(b) The lack of measures to reduce the demand for commercial sex;

(c) The absence of exit programmes for women wishing to leave prostitution.

28. **Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and its previous recommendations (CEDAW/C/ARM/CO/5–6, para. 19), the Committee recommends that the State party:**

(a) Ensure that women and girls who are victims of trafficking have access to adequate support services, including shelters and counselling services, and reintegration programmes, and provide adequate funding and/or subsidies for the premises and utility costs of shelters operated and the victim support services offered by non-governmental organizations;

(b) Strengthen the systematic collection and analysis of data on trafficking, disaggregated by victims' age, sex and nationality and by form of trafficking;

(c) Conduct awareness-raising campaigns on the risks of being trafficked and provide access to income-generating opportunities, financial support, legal



assistance, hotlines and pre-departure information for migrant women and girls, internally displaced women and women in a refugee-like situation;

(d) **Collect information and data on women in prostitution, address the root causes of the exploitation of women and girls in prostitution, introduce measures to tackle the demand side of prostitution, and provide exit programmes and alternative income-generating opportunities for women who wish to leave prostitution.**

#### **Participation in political and public life**

29. The Committee notes with appreciation the State party's commitment to advancing the political participation of women, which is a priority area in the State party's strategy for gender policy implementation for the period 2019–2023 and the associated action plan, as well as the increase of female representation in the National Assembly to 35.5 per cent in 2021. However, it remains concerned that women are still underrepresented in decision-making positions, including in the Government, academia, the judiciary, the public service and the foreign service.

30. **Recalling its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:**

(a) **Introduce targeted measures, including temporary special measures, in line with article 4 (1) of the Convention and general recommendation No. 25, such as increased quotas and targeted campaign financing, to increase the representation of women at all levels of the Government, in the National Assembly, the judiciary, academia, the foreign service and international organizations, in particular at decision-making levels;**

(b) **Introduce measures to combat discrimination and hate speech against women engaged in politics, including awareness-raising and educational campaigns in schools, in the National Assembly and among the general public;**

(c) **Build the capacity of women politicians and political candidates with regard to campaigning, leadership and negotiation skills, and, in collaboration with the media, raise awareness among politicians, religious and community leaders and the general public about the importance of the full, independent and democratic participation by women on an equal basis with men in political and public life as a prerequisite for fully realizing the human rights of women and achieving political stability and sustainable development in the State party;**

(d) **Provide capacity-building and training for women managers and leaders in the private sector and work with private sector entities to highlight the importance of women's equal participation in leadership positions;**

(e) **Introduce preferential recruitment of women to the foreign service and its diplomatic missions.**

#### **Women human rights defenders**

31. The Committee is concerned about acts of harassment, gender-based violence, discrimination and intimidation perpetrated against women human rights defenders by non-State actors.

32. **The Committee recommends that the State party:**

(a) **Expedite the investigation and prosecution of all acts of harassment, gender-based violence, discrimination and intimidation perpetrated against women human rights defenders by non-State actors, provide remedies and reparations to victims, and establish a dedicated register of such incidents,**

including gender-sensitive indicators, disaggregated data and publicly available statistics;

(b) **Raise awareness of the contribution made by women human rights defenders to the realization of women’s rights and take legislative and other measures to prevent attacks and threats against, and provide protection and reparations for, women human rights defenders.**

### **Education**

33. The Committee notes with appreciation the State party’s commitment to ensuring that women and girls can participate fully and effectively in the field of science and education and that they enjoy equal opportunities with men, as enshrined in the strategy for gender policy implementation for the period 2019–2023. It also acknowledges the revision of the “Healthy Lifestyle” programme to be rolled out in schools in 2023, as well as the ongoing transition of the State schools to an inclusive education system. However, the Committee notes with concern the continued segregation of women and girls in education, as reflected, in particular, in:

(a) The high dropout rates among girls in secondary education, attributable to early pregnancy, child marriage, gender-based discrimination or disability, especially in rural areas;

(b) Persistent gender stereotypes in the education system and limited age-appropriate sexuality education;

(c) The fact that, despite the significant efforts made and progress achieved – for example, under the “Technovation” programme to promote girls’ participation in information and communications technology (ICT) studies – women and girls remain concentrated in traditionally female-dominated fields of study and are not equally represented in science, technology, engineering and mathematics or ICT studies, which reduces their employment prospects;

(d) The limited use of gender-responsive language in textbooks and education materials at all levels of education;

(e) The barriers to school attendance faced by rural girls, the lack of adequate school infrastructure and the absence of human rights and peace education in school curricula.

34. **Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and its previous recommendations (CEDAW/C/ARM/CO/5–6, para. 23), the Committee recommends that the State party:**

(a) **Ensure that girls are enrolled at all levels of education, including through information campaigns targeting parents and religious and community leaders to highlight the importance of education for the empowerment of girls and through the provision of financial support to low-income families to cover the direct and indirect costs of education;**

(b) **Address the causes of school dropout among girls, including child and forced marriage and early pregnancy, as well as discrimination based on gender and disability, and ensure that young mothers can return to school following childbirth with a view to completing their education, obtaining school-leaving qualifications and gaining access to higher education or employment;**

(c) **Integrate into the revised “Healthy Lifestyle” programme and other relevant school curricula: (i) inclusive and accessible content on gender equality, including on women’s rights and the harmful effects of gender-based violence against women and girls; (ii) age-appropriate sexuality education at all levels of**

education, paying particular attention to responsible sexual behaviour aimed at preventing early pregnancy and sexually transmitted infections; and (iii) human rights and peace education;

(d) Strengthen capacity-building on women's rights and gender equality for teaching personnel at all levels of the education system, and review school textbooks, curricula and teaching materials with a view to eliminating discriminatory gender stereotypes;

(e) Continue using targeted measures, including temporary special measures such as quotas and special scholarships, to encourage women and girls to choose non-traditional fields of education and career paths, such as in science, technology, engineering and mathematics or ICT, including through career counselling and subsidies to cover the indirect costs of education;

(f) Continue to implement the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.

### **Employment**

35. The Committee notes with concern:

(a) The absence in national legislation of a definition of sexual harassment in the workplace and of any mechanisms for protecting women from gender-based discrimination in employment;

(b) The lack of progress made towards abolition of the list of jobs and professions considered dangerous for women, minors and persons with disabilities, contained in decision No. 2308-N of 29 December 2005, which perpetuates segregation in the labour market;

(c) That despite having ratified the Equal Remuneration Convention, 1951 (No. 100), of the International Labour Organization (ILO) and notwithstanding article 178 of the Labour Code, the State party is not fully enforcing the principle of equal pay for work of equal value, which results in a significant gender pay gap, as well as barriers to women's access to managerial posts, higher-paid jobs and decision-making positions;

(d) The limited opportunities for reconciling professional and family life, and the insufficient efforts to promote and ensure the equal sharing of domestic and child-rearing responsibilities between women and men, in particular during the COVID-19 pandemic;

(e) That women domestic workers are often hired outside the formal labour registration process and thus lack access to health-care coverage and pension benefits;

(f) The limited access to stable and adequately remunerated employment for disadvantaged and marginalized groups of women, including women belonging to ethnic minorities, internally displaced women, women in a refugee-like situation, migrant women and women with disabilities.

36. **Recalling that progress in the field of employment should go hand in hand with the empowerment of women and equality at work, the Committee recommends that the State party refocus its employment policies on the pursuit of gender equality and ensure that this is based on results, measurable indicators, partnerships with the private sector and opportunities for professional training in all areas, including innovative sectors such as the ICT sector. It also recalls its previous recommendations (CEDAW/C/ARM/CO/5–6, para. 25) and recommends that the State party:**

(a) **Adopt legislation to explicitly prohibit sexual harassment in the workplace, ensure that victims have access to effective remedies and that complaints about sexual harassment are effectively investigated, that perpetrators are prosecuted and adequately punished and that victims are protected from retaliation, and strengthen the Health and Labour Inspectorate to enable it to conduct regular inspections of workplaces;**

(b) **Abolish the list of non-recommended occupations restricting women's access to certain occupations, facilitate women's access to such occupations and ensure that any restrictions are proportionate and applied on a case-by-case basis rather than across the board;**

(c) **Enforce comprehensive legislation and regulations to ensure that the principle of equal pay for work of equal value is applied, regularly review wages in sectors in which women are concentrated and adopt measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys;**

(d) **Take targeted measures to promote women's access to managerial positions and higher-paid jobs in traditionally male-dominated professions, in particular by providing professional training, offering incentives for the preferential recruitment of women, and increasing the number and quality of childcare and preschool education services, and take action to alleviate the impact of the COVID-19 pandemic on women's employment;**

(e) **Ensure that women working in the informal economy enjoy maternity protection, facilitate the return of young mothers to work, promote the equal sharing of domestic and childcare responsibilities between women and men, including by expanding the use of paternity leave, and introduce specific provisions on employer's liability for discrimination against women in career development, recruitment, job promotion and vocational training;**

(f) **Improve access to employment and training opportunities for disadvantaged and marginalized groups of women, such as women belonging to ethnic minorities, internally displaced women, women in a refugee-like situation, migrant women and women with disabilities;**

(g) **Ratify the ILO Domestic Workers Convention, 2011 (No. 189).**

## **Health**

37. The Committee notes with concern:

(a) That notwithstanding the integration of family planning services into reproductive health services, abortion still remains one of the main forms of birth control, and that access by women and girls to available and affordable modern contraceptives, in particular in rural areas, remains limited owing to the absence of a budgetary allocation for the purchase of contraceptives;

(b) The stigmatization of and discrimination against women with disabilities, women living with HIV/AIDS and women who use drugs, as well as the inadequate mental health services for women.

38. **The Committee recalls its general recommendation No. 24 (1999) on women and health, target 3.7 of the Sustainable Development Goals and its previous recommendation (CEDAW/C/ARM/CO/5–6, para. 27), and recommends that the State party:**

(a) **Adopt measures, including by establishing a separate budget line, to ensure that modern contraceptives are available, accessible and affordable for**

women and girls, including those belonging to disadvantaged and marginalized groups, such as rural women, internally displaced women and women in a refugee-like situation;

(b) **Adopt measures to combat and eliminate gender-based violence and discrimination against and stigmatization of women with disabilities, women living with HIV/AIDS and women who use drugs in the health-care system, and ensure that they have access to adequate health services, including sexual and reproductive health services, antiretroviral treatment and drug treatment;**

(c) **Adopt measures to ensure that accessible mental health services of high quality are available in both urban and rural areas.**

#### **Economic and social benefits**

39. The Committee notes with concern:

(a) The limited number of measures, including temporary special measures, and targeted programmes to support women's entrepreneurship and promote the economic empowerment of women;

(b) Women's limited access to land and real estate ownership, credit, bank accounts and financial services as a result of persistent discriminatory gender stereotypes;

(c) The lack of information on low-interest loans and other forms of financial credit and on specific training in entrepreneurship skills for women;

(d) The disproportionate burden of unpaid domestic and care work shouldered by women;

(e) The feminization of poverty in the State party and the concentration of women's entrepreneurship in low-profit sectors, such as wholesale and retail trade, agriculture and home-based entrepreneurship, without access to social protection.

40. **The Committee recommends that the State party:**

(a) **Reduce the burden of unpaid care work on women, particularly rural women, and generate data on the monetization of such work as a basis for its recognition and compensation;**

(b) **Strengthen targeted measures, including skills training and the facilitation of women's access to loans and other forms of financial credit, land and real estate ownership, credit, bank accounts and financial services so as to support and stimulate women's entrepreneurship and promote the economic empowerment of women;**

(c) **Address the feminization of poverty, including by reviewing the social protection system, taking into account the interruptions in women's employment due to child-rearing periods and their engagement in unpaid care and domestic work, and recognize women's contribution to the economic life of the State party;**

(d) **Introduce incentives, including business facilitation grants, incubation schemes, financial inclusion services and other stimulus packages, to promote women's entrepreneurship and expand their economic opportunities.**

#### **Rural women**

41. The Committee notes that the State party recognizes the essential contribution made by rural women to agriculture in its strategy for gender policy implementation for the period 2019–2023. However, it is concerned that national legislation and strategies related to rural women, in particular the State party's strategy on the main

areas of economic development in the agricultural sector for the period 2020–2030, remain primarily gender-neutral, and that rural women are underrepresented in the formulation of such strategies and in decision-making on agricultural and rural development policies. The Committee is particularly concerned that 82 per cent of women in rural areas work informally as unpaid contributing family members to maintain household plots and farms, and that the per capita income of rural households headed by women is almost half that of rural households headed by men.

**42. In line with its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

**(a) Integrate and mainstream a gender perspective into all agricultural and rural development policies, strategies, plans and programmes, enabling rural women to act and be visible as stakeholders, decision-makers and beneficiaries;**

**(b) Ensure that rural women are able to effectively participate in planning and decision-making related to rural infrastructure and services, as well as in the assessment, analysis, planning, design, budgeting, financing, implementation, monitoring and evaluation of all agricultural and rural development policies;**

**(c) Promote the empowerment of rural women and ensure that they have economic and social independence, in particular by creating an enabling environment in line with general recommendation No. 25, including through programmes and policies aimed at improving the economic conditions of rural women;**

**(d) Ensure that rural women engaged in unpaid work and/or in the informal sector have access to non-contributory social protection and that those employed in the formal sector have access to contributory social security schemes in their own right, irrespective of their marital status;**

**(e) Specifically promote rural women's access to technical knowledge related to the harvesting of crops, food preservation, storage, processing and packaging, and marketing and entrepreneurship.**

#### **Disadvantaged and marginalized groups of women**

##### *Women and girls with disabilities*

43. The Committee notes with concern:

(a) That women with disabilities continue to face systemic barriers, including physical barriers, in terms of accessing health-care services and relevant information and communications, as well as discriminatory treatment with regard to sexual and reproductive health services, such as safe abortion and post-abortion services;

(b) The absence of specific targets in the annual employment programme to promote the employment of women with disabilities;

(c) That women and girls with disabilities, especially those with intellectual and/or psychosocial disabilities, continue to be confined to closed institutions, in which they often face discrimination and gender-based violence, owing to the slow deinstitutionalization process and the lack of community-based services.

**44. The Committee recalls its previous recommendation (CEDAW/C/ARM/CO/5–6, para. 37) and, in view of targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, recommends that the State party strengthen its measures to address intersecting forms of discrimination against women and girls with disabilities by:**

(a) **Revising the annual employment programme with a view to promoting the employment of women with disabilities, which should involve taking all measures necessary to increase the accessibility of mainstream services and reasonable accommodation for all women and girls with disabilities;**

(b) **Increasing the availability of community-based services aimed at enabling women with disabilities to live independently and participate in the community;**

(c) **Ensuring that women and girls with disabilities have equal access to education, housing, health care and social protection, addressing gender-based violence against women and girls with disabilities, particularly those living in institutions, preventing and investigating violations of their human rights, and prosecuting and punishing perpetrators.**

*Older women*

45. The Committee notes with concern the lack of implementation of the strategy for overcoming the consequences of population ageing for the social protection of older people for the period 2021–2026.

46. **The Committee recommends that the State party take measures to effectively implement the strategy for overcoming the consequences of population ageing for the social protection of older people for the period 2021–2026, with a view to protecting older women who face abuse, neglect and exploitation at home and in institutions.**

*Women in detention*

47. The Committee is concerned about the poor condition of detention for women deprived of liberty in the State party.

48. **The Committee recommends that the State party adopt and implement measures to improve the conditions in detention facilities and to ensure that women in detention have adequate access to health care and personal hygiene items, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).**

*Lesbian, bisexual, transgender and intersex women*

49. The Committee is concerned about reports of discrimination, harassment and hate speech against lesbian, bisexual, transgender and intersex women, and about the absence of legal provisions regulating gender reassignment surgery and gender marker change, as well as the lack of training for medical personnel on the rights of lesbian, bisexual, transgender and intersex women.

50. **The Committee recommends that the State party:**

(a) **Adopt legislative and policy measures to combat gender-based violence and discrimination against lesbian, bisexual, transgender and intersex women, including hate speech and physical, verbal and emotional abuse;**

(b) **Protect the human rights of lesbian, bisexual, transgender and intersex women in all areas covered by the Convention and conduct awareness-raising activities to address their stigmatization in society;**

(c) **Ensure that transgender persons, including women, can exercise the right to change the gender marker in their passport and other identity documents;**



(d) **Ensure that lesbian, bisexual, transgender and intersex women can freely participate in political and public life by exercising their right to freedom of peaceful assembly without intimidation or reprisals.**

#### **Disaster risk reduction and climate change**

51. The Committee notes the integration of a gender perspective into the national action programmes for adaptation to climate change. However, it is concerned at the limited participation of women in the adoption and implementation of policies and action plans on climate change and disaster risk reduction and in projects related to the green economy in the State party.

52. **The Committee recommends that, in line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the State party review its climate change and energy policies, taking into account the negative effects of climate change on the livelihoods of women, especially rural women, and ensuring that women are able to participate in decision-making on such policies and in projects on the green economy.**

#### **Marriage and family relations**

53. The Committee notes with concern:

(a) The high level of child marriage, in particular within the Yazidi community, despite the fact that the minimum age for marriage is set at 18 years for women and men, the lack of data on and procedures for identifying forced marriages, and the lack of prevention programmes related to early marriage;

(b) That there are no legislative measures in place to protect the rights of women in de facto unions and of the children resulting from such unions, including upon their dissolution.

54. **The Committee recommends that the State party:**

(a) **Amend the Family Code to remove all exceptions to the legal minimum age for marriage of 18 years for both women and men, and step up its efforts to combat child marriage, especially in rural areas, notably by addressing the root causes of this harmful practice, by encouraging reporting and by ensuring that those responsible are prosecuted and adequately punished, including complicit family members, religious and community leaders or law enforcement officers, in accordance with the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices;**

(b) **Provide for the civil registration of all marriages and undertake legislative reforms aimed at protecting the rights of women in unregistered marriages and de facto unions, and of the children resulting from such unions, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution;**

(c) **Conduct capacity-building activities for judges, prosecutors and officials from law enforcement agencies and local government authorities on the prevention and prohibition of child marriage;**

(d) **Reform data collection systems and registration procedures to support the implementation of criminal and administrative legislation on child and/or forced marriages.**

### **Beijing Declaration and Platform for Action**

55. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

### **Dissemination**

56. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the National Assembly and the judiciary, to enable their full implementation.**

### **Ratification of other treaties**

57. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.**

### **Follow-up to the concluding observations**

58. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 12 (d), 14, 32 (a) and 36 (b) above.**

### **Preparation of the next report**

59. **The Committee will establish and communicate the due date of the eighth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.**

60. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.