

**To the Protocol Decision No. 23
of the Government of the Republic of Armenia
made at its 17 June 2011 session**

NATIONAL ACTION PLAN TO COMBAT GENDER-BASED VIOLENCE

1. INTRODUCTION

1. The *National Action Plan To Combat Gender-Based Violence* (hereinafter the Action Plan) sets priority directions and the overall strategy of the State policy to combat gender-based violence and aims to prevent the phenomenon of gender-based violence in all spheres of public life.

2. The Action Plan is based on relevant provisions of the Constitution and laws of the Republic of Armenia and seeks *compliance* with the requirements of the UN *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), the Recommendations of the Fourth World Conference on Women in Beijing (1995), the documents of the Council of Europe Steering Committee for Equality between Women and Men and the UN Millennium Development Goals and fulfillment of the obligations assumed by the Republic of Armenia under other documents.

3. Violence is a universal problem and leading forces of the world, almost all international organizations and the entire general public focus attach significance to the task of combating it. Under international norms, violence is treated as violation of main human rights and freedoms and regarded as a phenomenon that cannot be tolerated by a civilized society.

4. Gender-based violence is one of the most pervasive manifestations of violence. Even though a single universal definition of gender-based violence is non-existent today, nevertheless it can be characterized as use of any violence of a physical, sexual,

psychological and economic nature on the basis of sex. It is regarded as one of the forms of human rights abuses since it violates human rights and fundamental freedoms. International recognition of gender-based violence as violation of the rights of women and men is quite a new phenomenon. The absence of that issue from the human rights discourse and legal instruments can be accounted for by the fact that violent acts against women are for the most of private nature. It was believed that it is difficult to determine an extent of the State responsibility, for example, regarding the acts committed by husband or intimate partner. However, further evolution of the law demonstrated that even if the act has been committed by a private person, it is nevertheless incumbent on the State to secure and protect the rights of the aggrieved party through appropriate legislative or other measures.

5. The overwhelming majority of victims of gender-based violence are women and children. It is a result of the current inequality between women's and men's rights and opportunities. It is also one of those important social levers to coerce women into a subordinate position in an economic, political and public life. It breaches the principles of legal equality and human dignity and respect, impedes society's social progress and development, family's well-being and preservation of values and restricts full-fledged realization of women's potential in various spheres of life. It does harm not only to women but also to the family, society at large and, ultimately, State. That is the reason why protection of women's rights is paid special attention at all human rights protection-related events. From the perspective of resolving the problem, the most important solutions were put forward at the World Conference on Human Rights (Vienna, 1993), in the *Declaration on the Elimination of Violence against Women* adopted by the UN General Assembly (1993), at the Fourth World Conference on Women (Beijing, 1995), at the UN Congress on the Prevention of Crime and the Treatment of Offenders Conference (Cairo, 1995), in the UN *Convention on the Elimination of All Forms of Discrimination against Women* (1979), in the UN Security Council Resolution 1325 (2000), in the Council of Europe Committee of Ministers' Recommendation Rec(2002)5 and in other international documents.

6. In the above-mentioned documents, violence against women is understood as any act of gender-based violence, which results in, or is likely to result in, physical,

sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.

7. Gender-based violence can take different forms from hurt feelings to degrading treatment. It encompasses:

- 1) physical, sexual or psychological violence occurring in the family, including wife beating, sexual abuse of girls, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and exploitation-related violence;
- 2) physical, sexual or psychological violence occurring in the community, including rape, sexual exploitation, sexual abuse and harassment and intimidation at work, in educational institutions or elsewhere, trafficking in women and forced prostitution;
- 3) physical, sexual, economic or psychological violence perpetrated or condoned by the state wherever it may occur.

8. Violation of the rights of women in situations of armed conflict (murder, systematic rape, sexual exploitation, forced pregnancy) is regarded as a form of gender-based violence. Forced sterilization, forced termination of pregnancy, forced use of contraceptives, female infanticide and sex-selective abortion belong to this category.

9. Thus, gender-based violence can hinder even the most decisive steps taken to promote sustainable development and block progress of a healthy and prosperous society, which has internalized democratic values, towards respect and protection of human rights, including women's rights. That is why a growing number of countries fulfill at a national level their obligations regarding the protection of women by drawing up national programs, perfecting legal frameworks, improving the quality of services provided to victims, enhancing partnerships as well as by intensifying their efforts to engage men and women in the solution of the problem.

II. CURRENT SITUATION

10. In Armenia, public awareness of gender-based violence and of gender issues is at a quite low level. What is more, today's Armenia is often characterized as a

conservative society with deeply ingrained gender stereotypes and hidden discrimination against women as well as with general tolerance of various manifestations of gender-based violence.

11. From 2000 on, international and local organizations conducted a number of studies to evaluate prevalence of domestic violence in Armenia. In 2006, the UN Population Fund conducted the *Family as Institution* study. In 2007, the survey *Domestic Violence and Abuse of Women in Armenia* was conducted by the *Turpanjian Center for Policy Analysis*. And in 2008, Amnesty International conducted the *No Pride in Silence* study. The findings of all those studies confirmed that domestic violence is among the most widespread manifestations of gender-based violence in Armenia. In particular, the Report on the findings of the survey conducted by the *Turpanjian Center for Policy Analysis* points out that even though the survey data somewhat differ from those of the 2000 survey, nevertheless the situation still gives concern since about 60% of the surveyed women indicated that domestic violence is widespread in Armenia.

12. In 2008-2009, the National Statistical Service of the Republic of Armenia conducted a first nationwide survey of domestic violence against women in Armenia with the support from the UN Population Fund. The official statistics states that “at some point in their lives 61.0% of ever-partnered surveyed women were exposed to controlling behavior, 25.0% were subjected to psychological violence, 8.9% were subjected to physical violence and 3.3% were subjected to sexual violence, while 9.5% were subjected to physical and/or sexual violence.”

13. Affirming its commitment to gender-based violence prevention and elimination policy since it regards the said violence as one of the most flagrant human rights violations, the Government of the Republic of Armenia took a number of steps.

14. The *National Action Plan on Improving the Status of Women and Enhancing Their Role in Society in 1998-2000* was the first strategic program, which was adopted in the period after independence had been gained and which outlined main directions of State policies regarding women. It was then followed by the *National Action Plan* for 2004-2010. Those two documents aimed at securing women’s rights and basic freedoms and women’s participation in public administration and at protecting maternal and children’s health in the Republic of Armenia. A separate chapter in each of

those strategic Action Plans was devoted to the issue of elimination of the phenomenon of violence against women in this country. The chapters addressed the issues of improvement of legislation, of appropriate support and of introduction of prevention mechanisms.

15. Within the framework of the above-mentioned Action Plans a number of measures were taken in those years:

- 1) Other countries' best practices at solving the problem were studied as were the Republic of Armenia's international documents concerning prevention of gender-based violence with a view to harmonizing the RoA legislation with the international norms.
- 2) In 2005, the Republic of Armenia Law *On Social Support* was adopted, which defines the concept of 'violence' and the forms of social support provided by the State to individuals who ended up in a difficult life situation.
- 3) Comprehensive professional development and training courses were organized for social workers, specialists from the health and education systems and law enforcement personnel who work with women who were subjected to violence.
- 4) Each year a "16 Days of Activism against Gender-Based Violence" campaign is staged with the support from the UN agencies and other international organizations and with the participation of NGOs and Government entities.
- 5) In 2006, the Government of the Republic of Armenia joined the document adopted by the Council of Europe Committee of Ministers on conducting a campaign against gender-based violence; in 2008, a campaign with a motto "End Violence against Women" was launched on the initiative of the Republic of Armenia Ministry of Labor & Social Issues, within the framework of which the said Ministry drew up and implemented a program of activities, including round table discussions in all regions of the Republic of Armenia, meetings with civil society organizations and with interested international organizations,

disseminations of publications and brochures and posting of information on the Internet. Also undertaken within the framework of the program were needs assessment, collection of statistical data and assessment of the situation. The results of the campaign were summed up at the conference held in May 2008.

6) In 2008, the functions of social protections of victims of violence and of prevention of violence were incorporated into the Charter of the Republic of Armenia Ministry of Labor & Social Issues.

16. In addition:

1) Issues of prevention of violence as well as of support provided to victims of violence and to their family members were included in the Republic of Armenia Government's Action Plan for 2008-2012.

2) At its 11 February 2010 session, the Government of the Republic of Armenia approved the *Gender Policy Concept Paper*, one of the priority areas of which is prevention of gender-based violence and trafficking in people.

3) A State Inter-Agency Committee to Combat Gender-Based Violence was established as per the 30 March 2010 Republic of Armenia Prime Minister's Decree # 213-A. The main objectives of the Committee are to improve efficiency of the implementation of measures aimed to prevent gender-based violence, to design mechanisms for collection and exchange of information and to formulate the National Action Plan To Combat Gender-Based Violence.

17. In recent years, with the support from international organizations non-governmental organizations, too, undertook activities aimed to prevent violence and to protect victims. In Yerevan, Martuni, Gyumri and Yeghegnadzor, projects were implemented to protect victims of violence, hotlines and helplines were operated, shelters were set up, medical, legal and social consultancy was provided, crisis centers ("Hope," "Family Center," and "Center for Mothers and Children") functioned and information, analytical and educational projects were implemented.

18. The above-measures taken notwithstanding, the problem of gender-based violence remains urgent for the country. Armenia's geopolitical and socioeconomic situation, unemployment, illegal migration, women's socioeconomic dependency in the family, unsolved household problems as well as lack of coordination of the State entities' and civil society's activities and an imperfect legislative framework lead to the growth in gender-based violence.

19. The problem of gender-based violence has to be viewed as a complex social problem and therefore appropriate measures should be taken not only for elimination of its consequences but also for prevention of the phenomenon. Those measures should focus on protecting the life and safeguarding the right to securing freedom and dignity of each family member.

III. CURRENT PROBLEMS

20. The problems that hinder efforts to combat gender-based violence in the Republic of Armenia are:

- 1) underestimation by the public at large of the impact that gender-based violence makes on all areas of public life and on moral and value orientations of the society;
- 2) low level of public awareness of gender-based violence;
- 3) imperfect system of collection of statistical data regarding the phenomenon of gender-based violence;
- 4) absence of mechanisms of monitoring of the application of the legislation and current sub-legislation that aim at preventing gender-based violence;
- 5) inadequate legal, political, administrative and cultural prevention/precautionary measures for protection against all forms of gender-based violence;
- 6) inadequate use of legal instruments for protection of victims of gender-based violence;
- 7) absence of State programs for rehabilitation of victims as well as perpetrators of gender-based violence.

IV. GOAL AND OBJECTIVES OF THE ACTION PLAN

21. The goal of the Action Plan is to contribute to the reduction of gender-based violence in the Republic of Armenia.

22. The main directions of the State policies that aim to decrease gender-based violence in this country are:

- 1) prevention of gender-based violence;
- 2) protection of victims of gender-based violence;
- 3) prosecution of perpetrators of gender-based violence.

Objectives of the Action Plan

22. The objectives of the prevention of gender-based violence are:

- 1) implementation of main recommendations of the UN *Convention on the Elimination of All Forms of Discrimination against Women* and of the Beijing Conference made to combat gender-based violence and **fulfillment** of the obligations assumed under other international documents ratified by the Republic of Armenia;
- 2) introduction of a system for administration of information regarding gender-based violence, including a mechanism for collection of information from various sources about victims of violence through the Governmental departments' statistics and studies;
- 3) raising public awareness of gender-based violence and of crimes committed against sexual freedom and inviolability, including sexual harassment and other abuses and exploitation at work and their prevalence, their prevention, legislation concerning violence, sanctions and punishment administered to perpetrators of violence, support measures for victims and procedures for provision of legal advice, health care and psychological support;
- 4) transformation of stereotypes that promote gender-based violence and creation of the environment of zero tolerance of violence;
- 5) laying the curricular and teaching methodology foundation for transfer of knowledge about gender-based violence;

6) inclusion of the topic of gender-based violence into professional development courses for teaching staff and into the system of education for parents.

23. *The objectives of protection of victims of gender-based violence are:*

- 1) improvement of the system of legal protection of victims of gender-based violence;
- 2) raising awareness of victims of gender-based violence and of individuals from vulnerable groups, including awareness regarding support provided to them;
- 3) expansion of the scope and continuous improvement of quality of social, medical and legal support and services provided to victims of gender-based violence;
- 4) continuous capacity building of professional staff of the *bodies* tasked with prevention of gender-based violence and of the *institutions* that give support and provide services to victims.

24. *The objectives of prosecution of perpetrators of gender-based violence are:*

- 1) increased efficacy of prosecution of perpetrators of violence;
- 2) socio-psychological rehabilitation and re-education of perpetrators of violence.

V. EXPECTED OUTCOMES

25. The expected outcomes of the Action Plan are:

- 1) the reformed legislation that aims to prevent gender-based violence;
- 2) the approaches that are incorporated into the State policies and that aim to prevent gender-based violence;
- 3) the prescribed functions and cooperation mechanisms of the bodies concerned;

- 4) the State statistics on gender-based violence and information collection procedures;
- 5) unified indicators that describe and mechanisms that monitor the phenomenon of gender-based violence;
- 6) the established procedures for provision of assistance to victims of gender-based violence;
- 7) the approaches that are introduced into the education system and that aim to prevent gender-based violence;
- 8) retrained specialists from the social security, healthcare, education and police systems;
- 9) increased public awareness regarding the phenomenon of gender-based violence.