

## **Response**

### **of the Armenian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Armenia**

**from 12 to 22 September 2023**

The Government of Armenia has requested the publication of this response. The CPT's report on the 2023 visit to Armenia is set out in document CPT/Inf (2024) 31.

Strasbourg, 13 November 2024

## ***Introduction***

The Government of the Republic of Armenia (hereinafter referred to as “the Government”) highly appreciates the role of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter also referred to as “the Committee” or “the CPT”) in the protection of human rights in the Republic of Armenia, as well as in the reforms of implemented, inter alia, in the fields of penitentiary, healthcare and social protection.

Pursuant to Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), a delegation of the CPT carried out a visit to Armenia from 12 to 22 September 2023. The visit formed part of the Committee’s programme of periodic visits for 2023 and was the CPT’s sixth periodic visit to Armenia. The visit was carried out by the following members of the Committee: Therese Rytter, 2nd Vice-President of the CPT (Head of delegation), Marius Caruana, Anna Jonsson Cornell, Alexander Minchev, - Gunda Wössner, Victor Zaharia. They were supported by Borys Wódcz (Head of Division) and Dalia Žukauskienė of the CPT's Secretariat, and assisted by George Tugushi, lawyer and former Public Defender (Ombudsman) of Georgia (expert).

The Committee submitted its Preliminary Observations to Armenia on 26 September 2023. The Government took the necessary steps towards their implementation and presented its comments on the Preliminary Observations on 26 October 2023.

The final report of the visit (hereinafter referred to as “the Report”) was adopted by the Committee on 8 March 2024, and transmitted to the Armenian authorities on 12 March

2024.

This response contains updates on recent developments, as well as the comments of the Government on the findings of the Committee and steps taken towards their implementation. The Government has translated the Report into Armenian and will ensure the dissemination of both English and Armenian versions.

The response of the Armenian authorities was prepared by the Ministry of Justice of the Republic of Armenia and consists of information provided by respective agencies (Ministry of Justice, Ministry of Health, Ministry of Labour and Social Affairs, Investigative Committee, Ministry of Internal affairs, Ministry of Defense).

It is worth noting that after the last periodic visit the Government has put great efforts towards the improvement of the conditions of places where persons deprived of their liberty are being held, the assurance of human rights, and the compliance of legislative and institutional framework to the standards of the Committee.

The Government will continue to implement its vision of reforms in areas in question, during which the observations of the Committee will serve as a crucial guide.

The Government of Armenia reiterates its commitment and readiness for the fullest cooperation with the Committee and reassures that all relevant measures are being undertaken to ensure the full implementation of the recommendations of the Committee.

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With reference to paragraph 12 of the Report

Within the scope of competence of the Ministry of Internal Affairs of the Republic of Armenia (hereinafter also Ministry of Internal Affairs), measures have been taken aimed at the prevention of incidents of torture and ill-treatment and possible exclusion thereof. These efforts are ongoing.

Thus, from 2022 to August 28, 2024, 413 internal investigations and studies were conducted with regard to applications and complaints, operational messages, mass media publications and reports received from other sources regarding torture of citizens, perpetrating violence against them during the performance of official duties by the police officers of the Ministry of Internal Affairs of the Republic of Armenia, in particular:

In the course of 2024 (as of 28 August 2024), 47 internal investigations and studies of the those incidents were conducted by the Internal Security and Anti-Corruption Department of the Ministry of Internal Affairs of the Republic of Armenia, of which,

- 10 did not result in factual data regarding the use of violence and torture by police officers, thus, their results did not lead to any consequences;
- the course of 35 was suspended until the entry into force of the final procedural acts in initiated criminal proceedings;
- 2 are pending.

In the course of 2023, 150 internal investigations and studies of the specified incidents were conducted by the Internal Security and Anti-Corruption Department of the Ministry of Internal Affairs of the Republic of Armenia, of which,

- 62 did not result in factual data regarding the use of violence and torture by police officers, thus, the results did not lead to any consequences;
- the course of 88 was suspended until the entry into force of the final procedural acts in initiated criminal proceedings.

In the course of 2022, 216 official investigations and studies of the specified incidents were conducted by the Internal Security Department of the The Police of the Republic of

Armenia, of which,

- 150 did not result in factual data regarding the use of violence and torture by police officers, thus, the results did not lead to any consequences,
- the course of 65 was suspended until the entry into force of the final procedural acts in initiated criminal proceedings.
- 1 is pending.

It is also noteworthy that incidents of torture were not recorded at the detention facilities operating in the Police System of the Ministry of Internal Affairs of the Republic of Armenia. Being higher-risk zones, the specified places are under the constant scrutiny of both the Ministry of Internal Affairs, non-governmental associations and organizations, including the international organizations/European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), and the Office of the Human Rights Defender of the Republic of Armenia, in particular, the Department for the Prevention of Torture and Ill-Treatment.

*With reference to paragraph 13 of the Report*

Criminal Proceedings with regard to torture of Mr B was investigated at the Investigative Committee of the Republic of Armenia. Criminal Proceedings were initiated on 21 June 2023. Mr B had a procedural status of a victim in the mentioned criminal proceedings. On 6 March 2024, charges were brought against patrols of the 3rd company of the 4th patrol battalion of the regiment of the city of Yerevan of the Patrol Service of the Police of the Ministry of Internal Affairs of the Republic of Armenia with regard to the incident of group torture of Mr B. On 20 June 2024, Criminal Proceedings along with the indictment were forwarded to the prosecutor exercising prosecutorial oversight to decide on the further course.

On 20 September 2022, convict of "Artik" penitentiary institution Mr C reported that on the same day, at around 14.00, after being transferred to the Court of Vanadzor by the

escorting police officers of Vanadzor, he had an argument with them in the cell regarding handover of the delivery, during which the police officers with other police officers having joined them started kicking on different parts of his body, including the face.

With regard to the report, on 23 September 2020, criminal proceedings were initiated under point 7 of part 2 of Article 450 (Torture) of the Criminal Code of the Republic of Armenia, further investigation of which was conducted by the General Department for Investigation of Particularly Important Cases of the Investigative Committee of the Republic of Armenia.

A forensic medical examination was assigned and, according to the opinion, the nasal fracture of Mr C alone refers to the injuries causing light harm to the health, and the other injuries, individually and collectively, do not contain elements of light harm to the health.

In the preliminary investigation, Mr C was recognised as a victim and was interrogated. The escorting police officers were also interrogated, who informed that on the day of the incident they transferred Mr C to the Court of Vanadzor. He had an argument with the escorting police officers regarding handover of the delivery, he used foul language, after which he started breaking the objects in the cell, became uncontrollable. They called several police officers for help and handcuffed him with great difficulty. They also informed that no one hit Mr C, they used force to handcuff him in order to stop the illegal, disorderly behaviour under the law, in the result of which the bodily injury detected on Mr C was caused.

Having assessed whether the actions taken against Mr C were lawful, adequate and proportionate for ensuring the fulfilment of the objectives set for the Police, including in the context whether excess of powers by the police officers deemed officials contained

elements of crime, the body conducting the proceedings concluded that the police officers acted within the scope of powers reserved thereto by law and other legal acts to perform the obligations imposed thereon, and the fact that they had tortured Mr C was not proven.

Based on verification and assessment of the evidence collected within the scope of due process of law, on 27 June 2023, the body conducting the proceedings submitted to the prosecutor exercising prosecutorial oversight a reasoned motion on not instituting criminal prosecution, which the prosecutor granted. On 10 August 2023, a decision on dismissing the criminal proceedings was rendered and not appealed.

In the proceedings specified, the record of interrogation of Mr C was drawn up using computer; it was not video-recorded, since pursuant to part 12 of Article 483 (transitional provisions) of the Criminal Procedure Code of the Republic of Armenia, the provisions prescribed by Article 8 of the Criminal Procedure Code of the Republic of Armenia on electronic documentation of the procedural actions in the pre-trial proceedings entered into force on 1 September 2023.

*With reference to paragraph 14 of the Report*

It is worth noting that during the first semester of 2024, 23 police officers passed training courses at the Educational Complex of the Ministry of Internal Affairs of the Republic of Armenia on the topic "Personal rights and freedoms of a person and a citizen, guarantees for the exercise thereof and the principle of non-discrimination" (overall 6 academic hours).

At the same time, in the reporting period, the Council of Europe Office in Yerevan has conducted training courses on the topic "Ensuring prevention and fight against domestic violence, as well as non-discrimination and equal rights" for 18 servicepersons from the management staff of territorial subdivisions of the Police. Thus, 41 police officers passed training courses on the envisaged topics, whereby the performance target of the



event was fully achieved.

In order to exclude torture and ill-treatment, the Police has taken steps to solve the issues regarding the escorts of persons deprived of their liberty.

The topic “Human rights protection”, as well as “Prevention of torture and ill-treatment” were also included in the training curricula for police officers organized at the Police Educational Complex of the Ministry of Internal Affairs of the Republic of Armenia. In the course of 2022, 149 police officers and during the 1<sup>st</sup> semester of 2023, 42 police officers participated in the training courses on this topic organized at the Police Educational Complex of the Ministry of Internal Affairs of the Republic of Armenia.

In the nearest future it is planned to raise the regulation of activities of non-governmental organizations fulfilling observation mission at the police detention facilities to the level of the order of the Minister of Internal Affairs of the Republic of Armenia /currently regulated by the order of the Head of the Police/, to expand the mandate of non-governmental organizations, by including also the Temporary Accommodation Centre for asylum-seekers of the Migration and Citizenship Service of the Ministry of Internal Affairs.

The Internal Security and Anti-Corruption Department of the Ministry of Internal Affairs of the Republic of Armenia was established and has been functioning since 15 November 2023 as a main professional structural unit within the Ministry of Internal Affairs of the Republic of Armenia, the powers reserved to which, in their turn, are enough guarantees for the prevention and detection of disproportionate restriction of the rights and freedoms of citizens, as well as of criminal acts committed by police officers during the performance of their official duties.

*With reference to paragraph 15 of the Report*

Under the criminal procedure legislation effective since 1 July 2022, the powers for conducting preliminary investigation into the proceedings of torture have been vested with the Investigative Committee of the Republic of Armenia, within the composition whereof,

at the General Department for Investigation of Particularly Important Cases, a separate specialized subdivision — Department for Investigation of Crimes of Torture and Abuse or Excess of Powers with the Use of Violence by Officials has been formed for the purpose of making the investigation into the cases of torture more effective.

In the course of 2023, the Department for Investigation of Crimes of Torture and Abuse or Excess of Powers with the Use of Violence by Officials of the General Department for Investigation of Particularly Important Cases under the Investigative Committee of the Republic of Armenia received 80 reports, and based on 74 reports criminal proceedings were instituted, of which 46 proceedings - under part 2 of Article 441 of the current Criminal Code of the Republic of Armenia (excess of authority-related or official powers, or abuse of influence preconditioned thereby or excess of powers by officials accompanied with violence or threat of violence), and 28 proceedings — under Article 450 (torture). In the specified period of time the subdivision investigated 261 criminal proceedings, 2 criminal proceedings with regard to 4 persons along with an indictment were forwarded to the Court under part 2 of Article 441 of the Criminal Code of the Republic of Armenia, 72 proceedings were dismissed, 11 proceedings were forwarded to another body, and 33 proceedings were joined.

The cases of alleged violence by the officials at the Investigative Committee of the Republic of Armenia, the qualifications distinguished under part 2 of Article 441 of the Criminal Code of the Republic of Armenia or Article 450 of the Criminal Code of the Republic of Armenia are preconditioned by significant differences in the specified *corpus delicti*. Under the proceedings, the Investigative Committee of the Republic of Armenia conducts a comprehensive, complete and objective investigation. Under each case, appropriate legal evaluation shall be given to the acts, preconditioned by the factual information obtained under the proceedings.

It is also worth mentioning, that the logic of current statistics is different from that

in the framework of the previous Criminal Procedure Code. The reason for this is that the initiation of criminal proceedings is one of the institutions that underwent serious changes and received a fundamentally new meaning. It is significantly different from the separate stage of filing a criminal case or, as it was called, the preparation of materials, provided for by the previous code. The Police no longer has the right to initiate a criminal case, the involvement of an investigator is required from the start.

The ideology behind the new regulations is as follows: initiating criminal proceedings should be the rule, and not initiating them should be the exception. It follows from this that, even with a small probability of the existence of an alleged crime, initiating criminal proceedings and subsequently terminating them legally cannot be considered as a negative phenomenon or unsatisfactory statistical data, and even more so, considered as a basis or occasion for reprimanding the public participant of the proceedings, because responding quickly and effectively to reasonable reports of apparent crimes is one of the primary responsibilities of the state. The first and main novelty, with which the new regulation stands out, is the provision of the basis for initiating criminal proceedings. The standard by which the investigator should be guided in forming a legal position regarding this or that proper report has been legally defined. It clearly follows from the content of the provision that a fairly low threshold for initiating criminal proceedings has been planned, ensuring the possibility of a full examination of each report that meets the minimum requirements within the framework of the preliminary investigation. It is also due to the fact that, unlike the previous code, the investigator does not have operational means to verify the truth or credibility of the facts mentioned in the report.

In other words, before initiating criminal proceedings, the investigator cannot take any action and will decide the steps to be taken only by analyzing and evaluating the content of the report (and, if available, also the materials attached to it). Based on the same consideration, the Code considers the legal assessment to be given to the facts mentioned in the report, that is, choosing a certain article, part or point of the Criminal Code, as

preliminary, because it is reasonably probable that it may be adjusted or changed based on the information received during the preliminary investigation. In order to ensure the latter, the Code stipulates that the investigator, on the instructions of the supervising prosecutor, has the right to make a change in the record of initiation of criminal proceedings, if there is a need to correct the factual description of the alleged crime or the legal assessment given to it.

*With reference to paragraph 20 of the Report*

Given the amendments made to the criminal procedure legislation, the Police of the Republic of Armenia has initiated amendments to the Law of the Republic of Armenia "On Holding of Arrested and Detained Persons" and to Decision of the Government of the Republic of Armenia No 574-N of 5 June 2008 deriving therefrom, as a result of which, within the framework of detection and prevention of torture, a provision was set forth, based on which the persons being admitted to a police detention facility must undergo mandatory medical examination, regardless of the presence of bodily injuries or health complaints. Healthcare professionals make a record of medical examination results in the register for "Medical examination or medical assistance of persons admitted to and kept in police detention facility", and the administration of the police detention facility records the results of medical examination or medical assistance in the personal file, informs the person kept in confinement about it, and upon detecting a bodily injury, immediately informs the body conducting criminal proceedings and the prosecutor exercising oversight over the legality of the enforcement of punishments and other coercive measures.

Decision of the Government of the Republic of Armenia No 1487-N of 31 August 2023 "On prescribing the peculiarities of the construction and furnishing of police detention facilities operating in the system of the Police of the Ministry of Internal Affairs the Republic of Armenia" provides for a number of legal regulations, in particular, with regard to equipping police detention facilities with video and audio recording systems, furnishing the stairs into the entrance, walking yard and rooms intended for other purposes, as well as at least one of the cells with ramps, enlarging cell window dimensions (100x60mm) in order to improve natural lighting, placing electric regulators to dim the electrical lighting of cells during night hours, which will serve as additional measures to contribute to increasing the efficiency of the works aimed at the prevention of torture.

During 2024, the working group composed of the employees and police officers of the Ministry of Internal Affairs of the Republic of Armenia made studies in the police detention facilities operating in the system of the Police to evaluate the building and sanitary-hygienic conditions of police detention facilities. Resulting from the studies, given the technical deterioration of police detention facilities and non-compliance of facility and utility-household conditions to the established standards, the functioning of 8 police detention facilities was terminated, the termination of functioning of 1 police detention facility is under discussion and it has been planned to perform major renovation in the other 24 police detention facilities in order to bring them into compliance with the established standards.

In order to exclude torture and ill-treatment, the Police has taken steps to solve the issues regarding the escorts of persons deprived of their liberty.

In parallel to eliminating the shortcomings, special means of transportation,

complying to international standards, as well as to the criteria established by Decision No 351-N of the Government of the Republic of Armenia, were acquired for escort.

*With reference to paragraph 21 of the Report*

The introduction of electronic (online) registers for taking in custody is included in the digitalisation agenda of the Ministry of Internal Affairs, namely, its acquisition is envisaged under the programme implemented with the support of the World Bank, in light of which the technical specification has already been drawn up, and the procurement process is underway.

*With reference to paragraph 22 of the Report*

Pursuant to part 6 of Article 22 of the Law of the Republic of Armenia "On the Police", in preventing or disclosing crimes, and ensuring the maintenance of public order the police officers may use portable audio and video recording or photography equipment within the period limited by the exercise of the given powers of the Police. The audio and video recording or photography equipment shall be attached to the uniform of the police officer or shall be held in the hand of the police officer or in the official vehicle of the Police. Police officers must wear the audio and video recording and photography equipment in a visible manner, except when operational intelligence measures and secret investigative actions are carried out. The police officer shall be obliged to warn verbally the person directly communicating therewith about non-secret surveillance through audio and video recording or photography equipment provided for by this part.

The audio and video recording, videotaping and photography shall be carried out only by the official (non-personal) equipment. Portable audio and video recording or photography equipment may be supported with the option of identification of faces having appeared in their view in order to establish whether there is resemblance to the person

wanted for committing the alleged crime. The presence of resemblance of the person wanted for committing the alleged crime shall be established by automatically juxtaposing in real time the image of the persons having appeared in the view of the equipment with the data available in the database of persons on the wanted list. In the event of identification, the equipment shall inform the police officer. In the case described, the image of persons having appeared in the view of the equipment shall not be captured, stored or otherwise processed.

Where an offence is detected or captured by the equipment, the police officer shall not be entitled to stop or interrupt the video recording or audio and video recording.

Videos or photographs shall be destroyed seven days after they are captured, except for the cases provided for by law. The destruction of videos or photographs shall be delayed by the decision of the head of the relevant territorial body or the head of the competent subdivision authorised by the Head of the Police, where:

- (1) the equipment has detected or captured a crime case or violation of the public order (the legislation on ensuring the road traffic safety);
- (2) persons have appealed against the actions of police officers, or an official investigation has been assigned based on the mass media report on the offence committed by the police officer;
- (3) persons have applied to the Police requesting to assist in the protection of their rights and legal interests.

Videos or photographs may be used to investigate crimes or violations of the public order, examine complaints concerning the actions of police officers, assist in the protection of rights and lawful interests of persons, informing the public of presence or absence of the disciplinary violation or elements of the violation attributed to the police officer after

completion of the official investigation conducted with respect thereto in high-profile cases, by disclosing no data identifying other persons or disclosing them to the minimum extent.

Use of videos or photographs for other purposes (including disclosure) is prohibited.

Where the equipment detects or captures an offence, the videos or photographs are stored in the Police until the investigation into the crime case or the case of violation of the public order (including the appeal proceedings), or the internal investigation is completed, unless other term is provided for by law. In case of assisting in the protection of the rights and lawful interests of persons, the videos or photographs are stored until restoration of violated rights and lawful interests of the person, but no longer than for a term of six months.

In case of assisting in the protection of the rights and lawful interests of persons, the videos or photographs shall be introduced or provided to the person having applied to the Police for assistance after the data of other persons have been depersonalised, to the extent useful, necessary and reasonable for the assistance, as prescribed by the Law of the Republic of Armenia "On protection of personal data".

It should be noted that the new Criminal Procedure Code of the Republic of Armenia having entered into force on 1 July 2022 reserves the Police with no power to conduct interrogations. It can be conducted by the Investigative Committee and the Anti-Corruption Committee.

According to the Criminal Procedure Code, investigative actions (except for document inspection, information request and taking objects or documents) must be video recorded, except when it is objectively impossible. The recording must be carried out from the moment of the start of the investigative action until its completion, without interruption, except for unforeseen technical malfunction or other cases of objective impossibility.



In case of interruption of the video recording, the execution of the investigative action is interrupted, the reasons for which are indicated in a separate protocol drawn up for that purpose. The execution of the investigative action continues from the moment of resuming the video recording. Until then, the investigator takes measures to ensure the normal course and efficiency of the investigative action. In the case of video recording, the integrity, visibility (coverage, lighting, etc.) and audibility of the investigative action are ensured. The video recording may not be edited or otherwise modified.

The protocol of the investigative operation performed by means of video recording cannot be used in the evidence process without access to the video recording of the given investigative operation or the electronic storage device of the video recording. In exceptional cases, when a person's presence at the performance of an investigative action is impossible due to a health condition or being in another place, or when there is a need to ensure the safety of a person, or to protect the legal interests of a minor victim or a witness, and this is required by the interest of justice, the investigative action can be performed using technical means of video communication.

The characteristics and criteria of the technical means used during the investigative action, as well as the procedure for the use of technical means, are defined by the Government's decision (N 457-N of 7 April 2022). The latter states that when using technical means, the principles of legality, reliability, proportionality and safety are kept. The use of technical means must pursue a legal goal, and the materials obtained as a result of their use can be used for the purposes of litigation, detection, prevention or disruption of crimes (principle of legality). The data obtained as a result of the use of technical means must be complete and accurate (principle of reliability). Video recording is carried out in such a way that its field of view accurately covers only those images that correspond to the purpose of its application. All participants of the investigative action must be included in the field of view, excluding outsiders as much as possible (principle of proportionality). The

user of technical measures must assess the possible negative impact of technical measures. The use of technical means during investigative actions should not endanger human life and health (safety principle).

The type, quantity and resolution of the technical means must correspond to the purpose of using the technical means, the place, the total surface of the area, the structure of the room and other conditions. The technical means performing video recording and photographing must meet at least the following standards:

- matrix resolution: 18MP.
- light sensitivity: ISO 100-3200.
- brightness: 3.5-5.6.
- screen diagonal: 2.0.
- video recording quality: 1920x1080 pixels.

Video recording and photography are carried out in color with a digital device capable of video recording and photography, respectively. The date and time fixed in the digital technical device must correspond to the actual date and time of the investigation operation. It should be possible to determine the time and day of the video recording from the video recording file.

In case of using technical means while performing investigative actions, it is necessary to first check the availability of the given technical means, including the presence of battery, memory drive and sufficient storage in it. If necessary, the investigative action is carried out by two or more technical means, which is indicated in the protocol of the investigative action. The duration and reasons for the interruption of the use of technical measures are indicated in the relevant protocol. If the investigative operation will be carried out in a large area or movements will be made during the operation, the body conducting the procedure informs the video recording person in advance about the sequence of movements during the operation. Audio-video recordings, video recordings, video tapes, computer data

storage devices and other materials obtained as a result of the recording are stored on separate laser discs or other electronic devices, which are attached to the protocol.

*With reference to paragraph 23 of the Report*

As to the trainings of persons holding autonomous positions at the Investigative Committee of the Republic of Armenia on the topic of conducting interrogations with vulnerable persons, it should be noted that in 2023, 26 persons holding autonomous positions (investigators) passed training on the topic "Effective investigation into the cases of torture, ill-treatment and death in the Armed Forces", and 60 persons holding autonomous positions passed training on the topic "Criminal Law characteristics of torture and peculiarities of investigation thereof", which, in fact, covers the methods of interrogation with vulnerable persons.

Courses on the same topics are also included in the training programme for investigators of the Investigative Committee of the Republic of Armenia held since 8 July 2024. In the course of specified trainings, it is envisaged to conduct trainings for 72 persons holding autonomous positions on the topic "Criminal Law characteristics of torture and peculiarities of investigation thereof", and for 47 persons holding autonomous positions on the topic "Effective investigation into the cases of torture, ill-treatment and death in the Armed Forces".

*With reference to paragraph 24 of the Report*

In order to improve the activities of the police detention facilities and to bring it into compliance with CPT criteria and the requirements posed by interested bodies, a number of organizational and legal reforms have been performed, which contributed to the improvement of building and sanitary-hygienic conditions of persons kept in confinement, as well as to the exercise of the rights thereof. In particular, the amount dedicated for ensuring free food for persons kept in police detention facilities has been increased, and in 2024, the daily ration reached 1550 AMD, and for pregnant women, breastfeeding

mothers, minors and the sick - 1750 AMD. "Hotline" telephone number of the Office of the Human Rights Defender and the public observation group carrying out oversight over the police detention facilities operating in the police system of the Ministry of Internal Affairs of the Republic of Armenia and the order for making calls have been posted on separate signboards at communications hubs of police detention facilities.

In April of 2024, the Departments of the city of Yerevan and Regions received a circular letter-assignment to provide persons kept in police detention facilities, during their escorts, with dry food and medications prescribed by the doctor in the ration intended for that period. Food may be provided from the free food available to them and the deliveries, if desired and available, in single-use containers or paper bags.

*With reference to paragraph 25 of the Report*

It should be noted that upon Order of the Minister of Justice of the Republic of Armenia No 397-N of 21 July 2022, the capacities and new types of security zones according to the new legislation have been established in penitentiary institutions, particularly:

"Abovyan" penitentiary institution — capacity 256 persons (the number 264 is indicated in the Report);

"Armavir" penitentiary institution — capacity 1240 persons (the number 1100 is indicated in the Report);

"Artik" penitentiary institution — capacity 373 persons (the number 300 is indicated in the Report);

"Nubarashen" penitentiary institution — capacity 780 persons (the number 700 is indicated in the Report).

*With reference to paragraph 27 of the Report*

It should be noted that besides "Hrazdan", the other penitentiary institution closed is "Kosh", rather than "Goris".

The construction of the new penitentiary institution is scheduled to start in 2025.

The construction of the new penitentiary institution is planned to be carried out in the area adjacent to the "Abovyan" penitentiary institution. The location of the newly constructed institution on the existing plot has already been determined with the relevant specialists of the organisation engaged in drawing up of the design and estimate documents. Currently, design works are being carried out on that area.

*With reference to paragraph 29 of the Report*

It is worth mentioning that no division of the Penitentiary Service, including 11 operational sub-divisions, received any information on an incident of exploitation or extortion of any person deprived of their liberty.

Any such incident will be carefully studied and addressed. The Government is not aware of such a case, including the fact that prison employees became aware about it but did not intervene.

Such statement implies the existence of *prima facie* acts prohibited by the Criminal Code of Armenia, moreover, committed by both persons deprived of their liberty and employees of the Institutions. Hence, the Government would like to request more detailed information of particular cases from the Committee regarding the mentioned observation.

*With reference to paragraphs 30 and 31 of the Report*

The large-scale works aimed at reducing the influence of the criminal sub-culture are presented below:

Following the relevant amendments and supplements made to the Criminal Code of the Republic of Armenia, "Complex Action Plan for Raising the Effectiveness of the Fight against Criminal Sub-Culture in Penitentiary Institutions" has been elaborated.

The Plan envisages complex measures for early prevention of the criminal sub-culture, improvement of activities of operational sub-divisions of the Penitentiary Service

in order to disclose manifestations of the criminal sub-culture, as well as operational-intelligence activity to counteract the manifestations of the criminal sub-culture. The Plan outlines also the preliminary action plan for the fight against criminal sub-culture.

Following the criminalization of acts related to the criminal sub-culture, 16 criminal cases with regard to 40 persons have been initiated as a result of the operational-intelligence measures undertaken by officers of the operational-intelligence sub-divisions of the Penitentiary Service and penitentiary institutions.

It is noteworthy that the fight against criminal sub-culture has had a significant influence on persons belonging to the criminal sub-culture, held in penitentiary institutions; in particular, detained persons and convicts following such morals prima facie avoid displaying their status and refrain from performing any act of the objective aspect, but in some cases they continue the covert bearing of criminal traditions, which gets the intervention of officers of operational sub-divisions.

Works are carried out on a daily basis jointly with both the Anti-Corruption Committee and the other law enforcement bodies for disclosure and early prevention of criminal sub-culture and corruption manifestations in penitentiary institutions.

Awareness-raising programmes aimed at ensuring zero tolerance towards criminal sub-culture among the public have been elaborated and implemented. Penitentiary Service has informed the public via its website ([www.penitentiary.am](http://www.penitentiary.am)), Facebook page and the mass media about consultations, publications and events aimed at the fight against criminal sub-culture, which have been held in the Central Body and penitentiary institutions.

For the purpose of informing the public at large about the measures of the fight against criminal sub-culture, aimed at zero tolerance, the fight against criminal sub-culture and its toolkit, as well as the measures aimed against the illicit drug trafficking have been covered.

Persons deprived of their liberty are also informed by officers of penitentiary institutions about the measures implemented by the State in the penitentiary institutions, as well as about their rights when dealing with bodies executing punishment or carrying out supervision, and necessary consultations are provided, individual receptions are organized regarding various issues, and provision of legal aid.

*With reference to paragraph 32 of the Report*

The works for repair of the women's unit of "Abovyan" penitentiary institution have been completed fully.

The tenders for renovation, repair and construction works of the isolation and administrative blocks, the juvenile unit and area of "Abovyan" penitentiary institution have been held, the funds necessary for the repair of the isolation and administrative blocks of the institution have been allocated, the repair works have already been launched.

A procurement process was carried out to perform repair works for the block of punishment cells, block of security, short-term visits, check-point and waiting room of "Armavir" penitentiary institution, and there already is a winner. Once the appropriate funds are available, the mentioned repair works will be carried out in a short period of time.

It should be noted that currently no works of expansion of the ventilation system are envisaged in "Armavir" penitentiary institution during 2024.

*With reference to paragraphs 33 and 34 of the Report*

Considering the fact that under the strategy for the penitentiary sector, it is envisaged to close "Nubarashen" penitentiary institution, no major construction works are planned. An inventory of the areas of the institution in need of urgent repair is currently being carried out, and renovation works of the mentioned areas will be carried out on a priority basis.

The block of punishment cells of "Artik" penitentiary institution has been completely repaired and put into operation; preparatory works for refurbishment are being carried out regarding the quarantine block, including the exercise yards. In the near future it is envisaged to finish the full refurbishment of the quarantine block. It should be noted that design and estimate documents for renovation of "Artik" penitentiary institution have been drawn up; once funds are available, renovation of all the blocks of the Institution will be carried out.

Partial repair works were carried out in all the cells of the quarantine block of "Armavir" penitentiary institution, in particular, in the areas of toilets and sinks, partial furnishing of cell walls was carried out.

*With reference to paragraph 36 of the Report*

Upon the Instruction of 13 March 2024, the frequency of using the bathroom at least 2 times a week has been established for detained persons and convicts.

*With reference to paragraph 38 of the Report*

The criminal justice system, including the penitentiary sector of the Republic of Armenia has shifted from a punitive policy to a rehabilitative policy, so currently the penitentiary legislation of the Republic of Armenia is fully designed with the logic of ensuring resocialisation processes and expanding their scope.

When planning their actions and outlining their work, the Penitentiary Service and the penitentiary institutions are guided by the logic of expanding the possibilities of resocialisation events as well.

During 2023, a number of events aimed at resocialisation were organised in penitentiary institutions:

In particular:

Provision of education for persons deprived of their liberty



- ✓ In 2022, as a result of the change in the relevant legal regulations, an opportunity was created for convicts with no secondary education and over 19 years old to participate in general education courses and receive a relevant document upon passing the necessary exams. This reform has become accessible to convicts since 2022, following the amendment to the Law “On general education”, and was based on the studies showing that approximately 300 convicts had incomplete secondary education. To provide access to general education for individuals over 19 years old, designated areas within the penitentiary institutions were set aside, renovated, and furnished. In this way, individuals who had not completed their secondary education on time were given the opportunity to continue their education. It is worth noting that the first educational phase concluded in December 2023; after completing a 1.5-year accelerated secondary education programme, the convicts participated in external exams from February to March 2024 and having largely passed these exams, they are now preparing for the final examinations.
- ✓ In 2023, 8 individuals, and in 2022, 9 individuals received higher and post-graduate education in the penitentiary institutions. To facilitate higher education, the Penitentiary Service and penitentiary institutions collaborate with higher educational institutions, appropriate rooms and technical conditions are established within penitentiary institutions to primarily organise higher education remotely and through correspondence.
  - ✓ In 2023, within the framework of the Programme for Aesthetic Education of Offenders, the "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO conducted the following courses in "Abovyan", "Artik", "Armavir", "Nubarashen", "Vardashen", "Vanadzor", "Sevan" and "Goris" penitentiary institutions: "Decorative applied arts", "Computer skills", "Ethics and communication", "Foreign language", "Armenian and fundamentals of speech culture", "Prevention

of domestic violence (managing emotions), "Fundamentals of sewing", "Fundamentals of furniture-making", and a total of 185 individuals participated in these courses.

- ✓ From September to December 2023, the "New Generation" Humanitarian NGO conducted one-day informational courses for individuals deprived of liberty in the penitentiary institutions, aimed to provide knowledge about HIV and AIDS, hepatitis, tuberculosis, methadone replacement treatment, and health rights. A total of 191 people who participated in the courses received certificates.

In 2024, an assessment of educational needs was conducted among the convicts, and as a result, the educational programmes were revised to include new programmes that teach specific skills, such as welding, construction, accounting, and car repair, among others.

Additionally, furniture-making courses have been conducted at the "Sevan" penitentiary institution for approximately 2 years. With the support of the Council of Europe, it is envisaged to expand the volume of furniture production, to improve the area, and acquire new equipment, which will allow for the inclusion of a larger number of convicts in the work and consider the possibilities of expanding the above-mentioned area and carrying out production activities. Currently, a contract has been signed between the "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO and the Council of Europe Office in Yerevan, and in the near future, the processes of procurement of the necessary property and conducting repair works are planned to commence.

The organisation and enhancement of such courses and professional training will be ongoing.

#### Employment of persons deprived of their liberty

Individuals held and serving their sentences in the penitentiary institutions have the opportunity to engage in technical and economic paid work within the institution, in unpaid

work for up to 2 hours a day, take part in creative work, and also sign contracts with another employer.

The statistics for convicts and detained persons involved in work in 2023 are as follows.

N/N	Work experience	2023
1.	Engaged in technical and economic maintenance works	117
2.	Engaged in non-paid works upon their consent	137
3.	Working with other employers on a contractual basis	15
4.	Engaged in creative work in working cells	113
Total		382

Recognising the role of productive employment, the establishment of productions, and the acquisition of professional (craftsmanship) skills in the process of resocialisation and development of positive behaviour among individuals deprived of liberty, the Penitentiary Service constantly takes steps aimed at establishing production units within penitentiary institutions, cooperating with various state, non-state, and international organisations for the purpose thereof, expanding the mentioned process and making it accessible in all penitentiary institutions.

To achieve this goal, the Penitentiary Service is collaborating with a legal entity engaged in entrepreneurial activities, which has expressed interest in relocating part of its furniture manufacturing workshop to "Armavir" penitentiary institution, thereby creating jobs for approximately 50 individuals deprived of their liberty. In parallel, it is envisaged to offer appropriate educational courses for the convicts involved in the described work, and to engage them in the works based on relevant labour contracts. Currently, the issues of providing territory are being discussed.

In case the aforementioned process proves successful, there are plans to establish similar production facilities in other penitentiary institutions in the future.

#### Other resocialisation measures

Measures among persons deprived of their liberty in the penitentiary institutions were initiated and organised both by the Department for Social, Psychological and Legal Affairs of the Central Body of the Penitentiary Service, the similar departments of the penitentiary institutions, and "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO, as well as through the initiative and cooperation of amateur unions of convicts and various organisations.

Officials, intellectuals, artists, cultural figures and representatives of different non-governmental organisations attended and participated in the events carried out.

- ✓ In 2023, a total of 283 different events (100 sports events, 107 cultural events, and 76 religious events) were organised in the penitentiary institutions, with a total participation of 3,956 individuals.
- ✓ During 2023, the Penitentiary Service, in cooperation with the Chess Academy, organised intra-institutional and inter- institutional chess tournaments in all penitentiary institutions. The convicts having won the tournaments formed the chess team of convicts of Armenia. With five selected team members, a FIDE master and coach conducted online training for approximately eight months, following which, the team participated in the World Chess Championship for convicts under the title "Chess for Freedom." In 2024, inter-institutional and intra-institutional chess championships were organised in a similar manner, eight convicts were selected, and chess courses were initiated for them.

In terms of employing more highly-qualified personnel to the penitentiary institutions, it is noteworthy that the Penitentiary Service is currently discussing with the Ministry of Justice of the Republic of Armenia potential structural changes of the Department for Social, Psychological and Legal Affairs of the Central Body of the Penitentiary Service and penitentiary institutions, considering the creation of resocialisation departments in the penitentiary sector that would be staffed exclusively by psychologists and social workers, who would receive higher salaries and enhanced social

guarantees.

Currently, there is a consideration to sign a contract for the provision of social work and psychological services between the Penitentiary Service and an organisation that meets the specified requirements, with the primary aim to delegate the supervision processes to private organisations.

*With reference to paragraph 39 of the Report*

In 2023, in collaboration with the Council of Europe and the Penitentiary Service, a tool for assessing the risks and needs of the convict was developed, which was tested between December 2023 and April 2024 in "Abovyan", "Armavir", "Sevan" and "Vardashen" penitentiary institutions. Based on the findings from the relevant studies conducted during the testing, a corresponding report was prepared at the conclusion of the testing, which included recommendations regarding revision of the risk and needs assessment tool, making specific changes.

In the near future, the risk and needs assessment tool for convicts is set to be implemented across all penitentiary institutions, prior to which, it is envisaged to conduct training courses for enhancement of skills of specialists, which will relate to both the skills of drawing conclusions based on the assessment and the results thereof, presenting professional opinions, as well as skills of planning further activities, preparing programmes.

In order to make the resocialization activities with convicts serving sentences in the penitentiary institutions of the Ministry of Internal Affairs of the Republic of Armenia more targeted, to increase the effectiveness of the resocialisation evaluation committees operating in the penitentiary institutions of the Ministry of Internal Affairs of the Republic of Armenia, in accordance with the order of the Minister of Justice of the Republic of Armenia N 380-N of 2 July 2024, the following improvements were made:

- The risk and needs assessment tool of the convict was implemented in all

penitentiary institutions. The tool makes it possible to identify the needs and risks of the convicted person as a result of a comprehensive assessment from the initial stage of serving the sentence, to build a plan for further work with them according to the obtained results, which has a significant role in increasing the purposefulness of the work carried out by the resocialization evaluation committee, maintaining an individual approach, ensuring the adequacy, suitability, clarity and measurability of the planned work,

- the procedural problems recorded as a result of the practice were reviewed and summarized, mechanisms for their regulation were defined by order,
- the competences of the resocialization evaluation commissions have been clarified,
- the individual composition of the resocialization assessment commission was revised and changed.

On 12 July 2024, the law "On making supplements to the Penitentiary Code" was adopted, introducing an authorising provision that empowered the Minister of Justice of the Republic of Armenia to further regulate the procedure for assessing the risks and needs of convicts.

*With reference to paragraph 40 of the Report*

Convicts sentenced to life imprisonment are included in various resocialization programs along with convicts with other sentences, actively participate in the events and programs organized in the penitentiary institutions along with other persons deprived of their liberty. It should be noted that in many cases various events are initiated and organized by convicts sentenced to life imprisonment, they are actively involved in amateur unions, are included in the work available in penitentiary institutions, as well as in contract work signed with other employers, are engaged in creative work.

In the context of not separating persons sentenced to life imprisonment, it should be noted that according to the new Penitentiary Code, the number of visits of convicts serving sentences in the penitentiary institutions has increased, all persons deprived of liberty have the possibility to use video and telephone calls in the penitentiary institution.

These issues are covered in this Response with reference to other paragraphs of the Report.

*With reference to paragraphs 41 and 85 of the Report*

On 16 March 2022, for the first time, in compliance with the requirements of Decision of the Government of the Republic of Armenia No 1334 of 22 November 2018, a tender was announced by the Penitentiary Service to acquire — at the expense of the state funds of the Republic of Armenia — services of a translator, as well as of a person providing services of a sign language interpreter, for the detained persons and convicts held in penitentiary institutions, and a contract for the provision of relevant services was signed with the organisation declared as the winner.

Under the contract, translation services for approximately 32 languages, including both written and oral translations, are provided 24/7 (even on weekends and holidays, without exception) throughout the territory of the Republic of Armenia, in all penitentiary institutions.

Within this context, in accordance with the instruction issued to the institutions in July 2022, comprehensive admission of all the persons deprived of their liberty and not having command of Armenian was conducted with the involvement of an interpreter, during which the administration of the institution got acquainted with the problems of those persons, as well as presented the rights and responsibilities thereof.

In addition, according to the above-mentioned instruction, the admission of persons deprived of their liberty — entering the institution for the first time and not having command of Armenian — must be conducted with the involvement of an interpreter.

In 2023, translation services were provided 328 times to foreign nationals deprived of their liberty in penitentiary institutions; the majority of translations were conducted in Persian, English, Russian, Georgian, and Arabic.

For the purpose of ensuring the continuity of the programme during 2024, the Penitentiary Service announced a tender again and 3 organisations were declared as winners of the tender, with which contracts for the provision of relevant services were concluded.

Translated versions of the main rights and responsibilities of detainees and convicts translated into Russian, Georgian, Persian and English are available in the institutions, and have been posted in visible places, as well as been provided to them.

The libraries of the Institutions are stocked with literature in Russian, English, French, German, Georgian, Persian, and Arabic.

The Penitentiary Service and penitentiary institutions of the Ministry of Justice of the Republic of Armenia are constantly taking measures to replenish the libraries, including literature in foreign languages.

Additionally, foreigners deprived of their liberty are freely included in the paid and unpaid jobs available in the institutions at their will, as well as participate in organised cultural, sports and religious events as they choose.

*With reference to paragraph 43 of the Report*

Preconditioned by the transfer of the management of the "Penitentiary Medical Centre" SNCO to the Ministry of Health of the Republic of Armenia under Decision of the Government of the Republic of Armenia No 614-N of 27 April 2023, and in order to ensure the regular operation of the "Penitentiary Medical Centre" State Non-Commercial Organisation, it has become necessary to make amendments to Decision of the Government of the Republic of Armenia No 825-N of 26 May 2006 "On approving the procedure for arranging medical and sanitary, as well as medical preventive assistance for detained persons and convicts, for having access to medical facilities of healthcare institutions and for engaging their medical staff for that purpose" (hereinafter referred to as "the



Decision").

Preconditioned by the necessity to bring a number of regulations into compliance with the effective legislation, extensive amendments and additions were made to the Annex to the Decision; the Annex to the Decision has been restated, by bringing it into compliance with the Law of the Republic of Armenia "On medical assistance and service to the population."

The references to the legal acts in a number of provisions of the effective Decision have been revised, by bringing them into compliance with the currently effective legal acts.

At the same time, a number of legal acts deriving from the Law of the Republic of Armenia "On medical assistance and service to the population" were adopted, and it has become necessary to bring the organisation of medical assistance and service of detained persons and convicts held in penitentiary institutions into compliance with the specified regulations.

After adoption of the draft Decision "On making amendments to Decision of the Government of the Republic of Armenia No 825-N of 26 May 2006, forms of a number of medical documents kept at "Penitentiary Medical Centre" SNCO will be approved by the Order of the Minister of Health.

*With reference to paragraph 44 of the Report*

The procedure for the implementation of telemedicine, including the mandatory requirements to be included in the procedure have been prescribed by Order of the Minister of Health of the Republic of Armenia No 42-N of 8 July 2022.

In order to improve the quality of medical assistance and service provided to detained persons and convicts and the effectiveness thereof, in 2024, a Memorandum of Cooperation in the sector of telemedicine was signed between the "Penitentiary Medical Centre" SNCO and the "Saint Gregory the Illuminator" Medical Centre of the Ministry of

Health.

Within the framework of the Memorandum of Understanding, considering the peculiarities of conducting telemedicine consultation regarding the health condition of detained persons and convicts after developing a standard operational procedure of telemedicine, persons deprived of their liberty will have the opportunity to practically avail themselves of the services provided by "Saint Gregory the Illuminator" Medical Centre.

Cooperation in this sector will be ongoing, and the "Penitentiary Medical Centre" SNCO of the Ministry of Health will, in the nearest future, engage into a similar cooperation with the "National Center for Burns and Dermatology" Closed Joint Stock Company of the Ministry of Health.

All the subdivisions of "Penitentiary Medical Centre" SNCO have license to provide outpatient surgical care ".

Regarding the vacancy of dentist in "Artik" penitentiary, it has been filled.

*With reference to paragraphs 45 and 46 of the Report*

Currently, the resources of the "Hospital for Convicts" subdivision are used mainly for providing medical assistance to persons deprived of their liberty with the need for a long-term treatment, palliative care and having mental health issues. Persons deprived of their liberty with the need for a specialised medical assistance undergo treatment at civil healthcare institutions.

All subdivisions of the "Penitentiary Medical Centre" SNCO are provided with 0.5-time position for a psychiatrist, and "Armavir" subdivision is provided with 0.1-time position for a psychiatrist. All psychiatrists have the required qualification.

Preconditioned by the need to regularly conduct general blood test of persons with mental health issues taking "Clozapine", the upcoming examinations of persons hospitalised for psychiatric assistance and service under hospital conditions are prescribed by points

14-19 of the "Standard for organising and providing state-guaranteed free psychiatric assistance and service" approved by point 1 of Order of the Minister of Health No 49-N of 8 February 2022, according to which, on the same day of hospitalisation of persons hospitalised for psychiatric assistance and service under hospital conditions, along with a number of examinations, general blood test is also conducted. After hospitalisation of persons hospitalised long-term (three months and more) for psychiatric assistance and service, examinations (including general blood test) are conducted once in three months and even more frequently, depending on the health condition of the person. It was also assigned to conduct blood tests of persons using "Clozapine" medication within the prescribed time limits, according to the guideline.

*With reference to paragraph 47 of the Report*

It was assigned to preclude the use of "Magnesium Sulfate" medication as a method of sedation, and it was suggested to be guided by the list of medications for sedation approved by the Minister of Health.

*With reference to paragraph 48 of the Report*

The suicide and self-harm risk examination and evaluation toolkit has been launched in the penitentiary institutions since 2022; to address the observations made during the launch and to make the toolkit and its application more effective, amendment to the relevant legal regulation was made and in October 2023, the corresponding order regarding the suicide and self-harm risk examination and evaluation toolkit and application procedure came into force.

It should be noted that the initial examination of the suicide and self-harm risk is conducted by the duty group, and in-depth assessment is then performed by the Department for Social, Psychological and Legal Affairs; moreover, an in-depth assessment

is performed also in the case when the person is already in the penitentiary institution, however, there are concerns about their behavior and possible mental state, or the person in question has committed self-harm or attempted suicide.

Referring to the impact after the application of the toolkit, it is worth noting that the Penitentiary Service continues to collect data, studies and analysis in this direction, although it is noteworthy that in 2023, the number of recorded self-harm cases, relative to the average number of persons deprived of their liberty during the year, was the second lowest indicator in the past five years (19.2%, with a lower rate of 17.8% recorded only in 2021), and the ratio of the number of people who committed self-harm to the average number of people deprived of liberty during the year was the lowest indicator in the past five years (6.3%).

Here are the statistics for self-harm cases recorded in the penitentiary institutions over the last five years (2019-2023):

Penitentiary Institution	Year				
	2019	2020	2021	2022	2023
Average number of persons deprived	2277 persons	2124 persons	2058 persons	2265 persons	2453 persons

of their liberty during the year										
	Case	Person	Case	Person	Case	Person	Case	Person	Case	Person
"Abovyan"	8	1	4	(4) <sup>1</sup>	6	0	2	(1) <sup>2</sup>	6	0
"Artik"	0	8	5	1	7	2	8	1	7	2
"Armavir"	14	0	13	15	2	3	21	8	39	9
"Goris"	8	0					6			
"Hospital for Convicts"	9	5	0	1	1	6	3	3	4	0
"Yerevan-Kentron"							--	--		--
"Kosh"			0							
"Hrazdan"	8	7	9	4	0	2				

<sup>1</sup> Four of the 8 persons having committed self-harm were minors

<sup>2</sup> One of the 8 persons having committed self-harm was a minor

"Nubarashen"	46	7	12	8	39	8	36	7	84	0
"Sevan"					--	--				
"Vanadzor"	9		8	2	4		5	0	0	6
"Vardashen"	57									
Total	04	82	37	44	66	70	18	80	72	55

	Year	Average number of persons deprived of their liberty during the year	Correlation with the number of cases of self-harm	Correlation with the number of persons having committed self-harm
1	2019	2277 persons	26,5%	7,9%
2	2020	2124 persons	25,3%	11,5%
3	2021	2058	17,8%	8,3%

	Year	Average number of persons deprived of their liberty during the year	Correlation with the number of cases of self-harm	Correlation with the number of persons having committed self-harm
		persons		
4	2022	2265 persons	22,9%	7,9%
5	2023	2453 persons	19,2%	6,3%

The number of suicide cases in the penitentiary institutions in the same period, during the past five years, is presented below:

	Year	Average number of persons deprived of their liberty during the year	Cases of suicide	Correlation
	<b>2019</b>	<b>2277 persons</b>	5	0,22%
	<b>2020</b>	<b>2124 persons</b>	1	0,05%
	<b>2021</b>	<b>2058 persons</b>	3	0,14%
	<b>2022</b>	<b>2265 persons</b>	3	0,13%

	2023	2453 persons	2	0,08%
	2024, semester	2582 persons	0	0%

With reference to paragraphs 49 - 52 of the Report

Information is presented below on the steps taken by the "Penitentiary Medical Centre" SNCO aimed at the implementation of assignments available in the aforementioned report:

1. The medical staff of the subdivisions of the "Penitentiary Medical Centre" SNCO, including the medical staff of "Armavir" subdivision performs its professional activity independently. External professional consultations and treatment are available and conducted based on medical indications, in a planned manner. In order to ensure the confidentiality of medical consultations and purpose of visiting the doctor, persons deprived of their liberty are provided with visit record sheets. The record sheet is handed over to the medical staff with a closed envelope.
2. The "Penitentiary Medical Centre" SNCO has initiated the process for the acquisition of AED (automated external defibrillator) equipment, as well as the necessary training of the staff.
3. All subdivisions of the "Penitentiary Medical Centre" SNCO, as it was mentioned, have the license for providing outpatient surgical services.
5. Currently, the Syringe Exchange Program is not being implemented.
6. Isolation for medical purposes is only implemented based on medical indication, including upon substantiation by a psychiatrist.
7. In order to provide proper medical assistance to foreign prisoners, the medical staff uses the service of an interpreter provided by the Penitentiary Service, if necessary.



With reference to paragraphs 53 and 55 of the Report

Convicts are held separately for protective or preventive purposes for security reasons. The necessary regulations are provided in Article 78 of the Penitentiary Code, which states:

“1. The convict may be held separately according to their application or at the initiative of the head of the penitentiary institution, for protective purposes, and for preventive purposes, in case of danger to the safety and security of other persons or the penitentiary institution.

2. For preventive purposes, the convicted person is held separately if there is such data or facts that give reasonable grounds to believe that the convicted person may:

1) pose a danger to persons working in the institution, serving punishment or visiting there;

2) run away with their own means or with external assistance.

3. If the convict applies to the head of the penitentiary to be held separately for protective purposes, they must submit information about the danger to their safety and security in the application. The application is rejected or approved immediately, but no later than within two hours from the moment of receiving it, by the reasoned decision of the head of the penitentiary institution.

4. After the administration of the penitentiary institution detects the danger provided for in part 1 of this article, immediately, but not later than within two hours, the head of the penitentiary institution makes a reasoned decision to hold the convict separately, which should contain data on the danger provided for in part 1 of this article, which is the basis for holding the convicted person separately for protective or preventive purposes, and the position of the convicted person regarding holding him separately. If it is impossible to ascertain the position of the convict at the time of making the decision, it is recorded as soon as possible and attached to the decision. The convicted person is immediately informed about the decision made, in accordance with the procedure established by the

internal regulations.

5. After receiving the application of the convict to be held separately or discovering the danger provided for in part 1 of this article, the administration of the penitentiary institution immediately isolates the person in the safe zone of the given penitentiary institution until the relevant decision is made.

6. In case of being held separately, the convict has the following minimum rights:

1) receiving health care, including sufficient food, medical care, psychological and psychotherapeutic support;

2) one hour of walking and exercise a day.

3) using literature.

4) maintaining effective human contacts, family and connection with the outside world.

7. Rights of the convict, not provided by part 6 of this article, may be limited only to the extent that their limitation is directly caused by the neutralization or elimination of the danger provided for in part 1 of this article, and if it is not reasonably possible to neutralize or eliminate it by other means. When applying each restriction, the reasoned decision must justify the causal connection between the neutralization or elimination of the specified danger and the applied restriction, as well as the exceptional need to apply the restriction.

8. The convict is held separately under conditions equal to those of other convicts. Holding a convicted person separately should not have a punitive nature, it should be used for the shortest necessary period and only when it is not possible to reasonably neutralize or eliminate the danger provided for in part 1 of this article by other means. During the period of being held separately, the administration of the penitentiary institution takes measures to neutralize or eliminate the circumstances that are the basis for it and to ensure the realization of the rights of the convict.

9. Immediately after separating the convict, they are visited by the doctor of the medical unit located in the penitentiary institution, and in the case of the absence of the

latter, by the representative of the average medical staff on duty, making a note about it in the ambulatory medical card of the person. After separating a convict who is held in separation for preventive purposes, within three hours, the responsible guard also visits them regularly.

10. The head of the penitentiary institution, as well as the psychologist and the doctor of the medical department located in the penitentiary institution, and in the case of the absence of the latter, the representative of the average medical staff on duty, visit the separately held convict every day making a note about it in the corresponding personal and ambulatory medical cards of the person. In case the relevant representative of the medical unit finds that holding the convict in separation seriously threatens their health, they immediately inform the head of the penitentiary, who is obliged to review the decision to hold the convict separately.

11. The decision made in case of holding separately for a protective purpose shall be subject to review regularly, but no later than every fifth day after being separated. Where the necessity for still holding the person separately is affirmed, the head of the penitentiary institution shall make a reasoned decision thereon, substantiating the continuity of the necessity for holding the person separately and impossibility of ensuring safety of the person by other means.

12. Where there is a need to hold the convict for a period of more than 24 hours for preventive purpose, the decision made on holding separately shall be subject to review after 24 hours of separating the person. In cases when the ground for holding separately has not been eliminated, the person shall continue to be held separately by a reasoned decision of the head of penitentiary institution. In this case the decision on holding the person separately must be reviewed again one month after making an initial decision, and after that in the future - regularly, however, no later than once every three months, in each case substantiating by a relevant decision the continuity of the existence of danger and the impossibility of neutralising it by other means.

13. The position of the departments of social, psychological and legal affairs, operative and security of the penitentiary institution is taken into account when making a decision to review the separate holding in accordance with the procedure defined by part 11 or 12 of this article. The decision to be made must also contain the position of the convict held in separation regarding the decision to be made.

14. By the decision of the head of the penitentiary institution, separately holding of the convict is terminated if the danger provided for in part 1 of this article has been eliminated or neutralized. When making the decision, the position of the departments the social, psychological and legal affairs, operative and security of the penitentiary institution is taken into account. The decision must also contain the position of the convict held in separation regarding the decision to be made.

15. The regulations defined by this article do not apply to the cases of holding a person in isolation due to medical necessity.”.

Detainees or convicts at the “Hospital of Convicts” Penitentiary institution are kept in isolation due to their mental health conditions. Under the requirements of point 35 of Decision of the Government of the Republic of Armenia No 543-N of 13 April 2023 on approving the internal regulation of penitentiary institutions:

When detainees or convicts are isolated due to their health condition, placement is based on the conclusion of the head of the relevant medical services department, regarding which a decision is made by the head of the institution, and the "Hospital of Convicts" Sub-Division of the "Prison Medical Center" SNCO is informed through a corresponding letter.

Transfer of detainees or convicts to the "Closed Type N1" block of "Hospital of Convicts" Penitentiary institution can be both a safety and a medical measure.

In the "Prison Medical Center" SNCO, the justifications for isolating in the "Closed Type N1" block of the penitentiary institution of the patients kept in isolation due to mental health conditions or medical patients on hunger strike are not formulated in special

registers, but in the disease medical records thereof kept in the "Hospital of Convicts" Sub-Division of the "Prison Medical Center" SNCO. The duration of isolation depends on the individual's health condition. If the patient's health condition improves or the hunger strike ends, the patient is transferred to the department, and a relevant entry is made in the disease medical records regarding the illness.

All medical patients held in the "Closed Type N1" block of the "Hospital of Convicts" penitentiary institution are examined by medical workers on a daily basis, and relevant entries are made by the medical worker in the disease medical records of detained persons and convicts.

It should be noted that on 12 July 2024, the Law "On making amendments to the Penitentiary Code" was adopted, which stipulates that convicts in need for long-term inpatient medical care, service and care will be transferred to a medical penitentiary institution, where they will be held in conditions envisaged for stringent measures of a middle security zone, the peculiarities whereof are provided for by the internal regulations of the penitentiary institutions.

Convicts whose health conditions make it impossible to provide medical aid within the institution's medical units will be held in the medical penitentiary institution. The Penitentiary Service will ensure the order and conditions of execution of sentences in the medical penitentiary institution, and the medical aid and service will be provided by the "Penitentiary Medical Centre" SNCO of the Ministry of Health of the Republic of Armenia.

The possibility of relocating the "Hospital of Convicts" penitentiary institution to the premises of "Abovyan" penitentiary institution is under discussion in the agenda.

Specifically, seismic protection studies have been conducted on the non-operational blocks of "Abovyan" penitentiary institution.

Plans are underway to prepare design and estimate documents for the construction

and repair works related to relocating the "Hospital of Convicts" penitentiary institution to the premises of "Abovyan" penitentiary institution.

*With reference to paragraph 54 of the Report*

The operation of 3 closed cells located in "Closed Type 1" block of "Hospital of Convicts" Penitentiary institution were prohibited (they have been actually closed) until their capital repair and rehabilitation.

In 2023, the 3 cells in "Closed Type N1" block of "Hospital of Convicts" Penitentiary institution, including the toilets and the bathroom, were refurbished and put into operation.

*With reference to paragraphs 56 and 58 of the Report*

The new procedure for the certification of penitentiary officers was established by Decision of the Government of the Republic of Armenia No 649-N of 2 May 2024, and the amounts of bonuses calculated based on the results of the certification of the penitentiary officers and the payment procedure were defined by Decision of the Government of the Republic of Armenia No 634-N 2 May 2024.

Additionally, the following preparatory works were carried out to facilitate the certification of penitentiary officers:

- The norms for assessing the level of physical preparedness were established by Order of the Minister of Justice of the Republic of Armenia No 353-L of 20 June 2024.
- the tests for the General Development Department and the Professional Department of Testing were prepared;
- a methodological guide was prepared outlining the list of legal acts and other materials underlying the tasks of the Professional Department of Testing;
- The schedule for the certification of penitentiary officers for 2024 was established

by Order of the Minister of Justice of the Republic of Armenia No 388-A of 8 July 2024.

31 penitentiary officers have successfully passed the certification.

In terms of trainings on identifying the needs of psychiatric aid and the risks of suicide and self-harm, it is notable that on 19-20, 26-27 February, 4-5 and 11-12 March of 2024, the Council of Europe conducted trainings on the topic of “Training on intervention plans for prevention of suicide based on the suicide and self-harm risk examination and assessment toolkit developed for Armenian penitentiary institutions”, which were attended by approximately 170 employees. On 25-26, 29-30 August 2023, the Council of Europe conducted training on the topic "Training of specialized skills and knowledge for psychologists and psychiatrists working in penitentiary institutions", in the framework whereof, the specifics of work with people with mental health problems were discussed in detail.

As part of the “AISPIRA” programme implemented by the Helsinki Committee of the Netherlands, on 11-13 October 2023, courses on topics "Management of modern prisons, dynamic security and its provision" and "Victim-offender mediation" were held for the officers and employees of the Penitentiary System, which were attended by employees of the Central Body of the Penitentiary Service, "Abovyan", "Armavir", "Goris", "Hospital of Convicts", "Yerevan-Kentron", "Nubarashen", "Vanadzor" and "Vardashen" penitentiary institutions.

*With reference to paragraph 57 of the Report*

During the establishment of the planned dynamic security subdivision in the Penitentiary Service, the possibility of eliminating the 24-hour shift service will also be considered.

*With reference to paragraph 59 of the Report*

Training courses for penitentiary officers are organised as per structural subdivisions and held by "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO in accordance with the schedule and topics approved by the order of the Minister of Justice of the Republic of Armenia.

In the courses of 2024, the topic on professional ethics and integrity of the penitentiary officers was included.

In the first semester of 2024, training was organised for 355 officers from various subdivisions of the Penitentiary Service.

Works are carried out on a daily basis jointly with both the Anti-Corruption Committee and the other law enforcement bodies for disclosure and early prevention of criminal sub-culture and corruption manifestations in penitentiary institutions.

It should be noted that in 2023, 149 internal investigations were conducted (140 — in 2022), leading to disciplinary penalties for 137 officers (including civil servants), of which:

- 12 officers holding chief positions (3 of which - heads of penitentiary institutions);
- 18 officers holding leading positions;
- 31 officers holding mid-level positions;
- 62 officers holding junior;
- 14 civil servants.

The applied disciplinary penalties as per types are the following:

- Warning — 51 (2022 — 25);
- Reprimand — 59 (2022 — 54);
- Severe reprimand — 14 (2022 — 28);
- Termination of office — 13 (2022 — 16).

Moreover, in 2023, as a result of the work carried out by the Central Body of the Penitentiary Service and the operational subdivisions of the penitentiary institutions, 1122 reports on crime were submitted, of which, criminal proceedings were initiated for 489 cases, including 3 for corruption crimes and 146 for illegal drug trafficking (125 — in 2022).

In 2023, criminal cases were instituted against 5 officers (in 2022: 6).



In accordance with the Law of the Republic of Armenia "On the system for whistle-blowing", the whistle-blower may report information (to the Prosecution) anonymously through the unified electronic whistle-blowing platform (azdararir.am). Through the unified electronic platform, the Republic of Armenia, represented by the Ministry of Justice of the Republic of Armenia, shall guarantee the protection of a whistle-blower, ensuring his or her anonymity. It is important to note that anonymous reporting is regarded as a key guarantee of whistle-blower protection, as it ensures that whistle-blowers can be confident that their personal data will be protected, as their identities are not disclosed to third parties or competent state bodies.

If there are grounds for verifying a report, the General Prosecutor's Office of the Republic of Armenia forwards the report in documentary form to the body responsible for conducting operative-intelligence activities. Moreover, the report shall be subject to verification as prescribed by the Law of the Republic of Armenia "On operational intelligence activity", where the information submitted with the report is sufficiently substantiated, relates to a specific official or a body and contains data which can be verified.

It should also be noted that relevant information regarding reforms, events carried out by the Service, penitentiary legislation, and other legal acts is published on the official website ([www.penitentiary.am](http://www.penitentiary.am)), where the "Hotline" telephone number of the Service is also posted.

*With reference to paragraphs 60-63 of the Report*

According to current penitentiary legislation, moving to a punishment cell cannot be assigned and applied to convicts sentenced to imprisonment who are minors, pregnant, nursing mothers, or those with children under the age of three, as well as moving to a punishment cell can be assigned for up to 15 days. In case of detainees, the regulations are similar, except the duration is up to 10 days.

In 2023, there were no reasoned decisions made to apply a sanction in penitentiary institutions in accordance with the procedure established by part 1 of Article 107 (prohibitions applied to convicts during their stay in the punishment cell) of the Penitentiary Code or part 4 of Article 36 (prohibitions applied to detainees during their stay in the punishment cell) of the law "On Holding of Arrested and Detained Persons". In the absence of appropriate restrictions, individuals deprived of liberty who were moved to a punishment cell continued to use telephone communication, receive visits, and accept parcels, deliveries and packages in the prescribed manner.

Moving persons deprived of their liberty held in penitentiary institutions to a punishment cell as a sanction was used for an average duration of 3 to 10 days.

In 2023, five cases of increasing or decreasing the number of days to be held in a punishment cell following an appeal of the disciplinary penalty in the form of moving to a punishment cell by the prosecutor, were registered in "Armavir" penitentiary institution. Additionally, 143 cases of postponing the execution of the penalty in the form of transfer to the punishment cell, shortening the period of stay in the punishment cell, and early release from serving the penalty were applied to persons deprived of their liberty held in penitentiary institutions, based on the opinion given by the physician.

In 2023, no complaints were received regarding ensuring the rights of persons deprived of their liberty who were moved to punishment cells in the penitentiary institutions, as defined by the provisions of the Penitentiary Code of the Republic of Armenia and Decision of the Government of the Republic of Armenia No 543-N of 13 April 2023.

It should also be noted that upon Instruction of the Head of the Penitentiary Service No 40/7.1-945 of 21 February 2023, the institutions were instructed to exclude the practice of moving to and holding in a punishment cell for purposes other than the scope of applying a disciplinary penalty against a person deprived of liberty.

*With reference to paragraphs 64-66 and 90 of the Report*

Pursuant to the new Penitentiary Code of the Republic of Armenia, the number of visits of convicts serving their punishment in the institutions has increased, the minimum numbers have been set according to the type and conditions of the security zone as follows:

Convicts serving their punishment in mild conditions of the low security zone may have at least 12 short-term, and 12 long-term visits within a year, as well as have, within a year, at least 1 long-term visit for up to five days, with the right to reside beyond the penitentiary institution.

Convicts serving their punishment in the strict conditions of the low security zone may have at least 10 short-term and 10 long-term visits within a year.

Convicts serving their punishment in the mild conditions of the medium security zone may have at least 8 short-term and 8 long-term visits within a year.

Convicts serving their punishment in the strict conditions of the medium security zone may have at least 6 short-term and 6 long-term visits within a year.

Convicts serving their punishment in the mild conditions of the high security zone may have at least 6 short-term and 6 long-term visits within a year.

Convicts serving their punishment in the strict conditions of the high security zone may have at least 4 short-term and 4 long-term visits within a year.

It should be noted that convicts enjoy their visits at the time and in numbers convenient to them within the year, without violating the principle of ensuring equal opportunities for communication with the outside world.

A detained person held at penitentiary institutions of the Republic of Armenia is granted at least two short-term visits of close relatives, representatives of mass media and other persons for up to three hours, and a long-term visit of close relatives is granted at least once in two months for up to three days.

An incentive in the form of permission for additional short-term or long-term visit, but not more than two short-term or two long-term visits within a year is applied, in the prescribed manner, to a person sentenced to imprisonment for good conduct, conscientious attitude towards work or studies, or active participation in the activities or events of amateur unions of convicts.

An incentive in the form of granting additional short-term visit may also be applied to a detained person for law-abiding behavior.

Currently, the Penitentiary Service is taking active steps aimed at making telephone communication more accessible in the penitentiary institutions, improving the quality of telephone communication, increasing the number of telephone devices, providing the opportunity to call any type of communication (landline, mobile) in the Republic of Armenia, and increasing the frequency of telephone communication usage.

Currently, the Penitentiary Service is discussing with the communication operators of the Republic of Armenia the proposals and opportunities within the scope of the mentioned improvement.

Referring to the expansion of the opportunities for foreign citizens and women to use video calls, it should be noted that the opportunity to use video calls is provided according to a schedule set by the head of the penitentiary institution, taking into account the needs of each person as much as possible when determining the frequency of video calls provided to them.

Following the entry into force of the new Penitentiary Code, all persons deprived of their liberty have an opportunity to make video calls and phone calls in a penitentiary institution. They may make one telephone call and one video call per month according to the schedule set by the head of the penitentiary institution, at the expense of state funds. A convict makes additional video calls and telephone calls at his or her expense. In each

case the duration of using telephone communication or making a video call may not exceed 20 minutes, in exceptional cases it may be extended for another 10 minutes.

In 2023, a total of 2,244 video calls were made, with 202 of those calls taking place in "Armavir" penitentiary institution. Considering that the computers designated for video calling in penitentiary institutions use the Skype system, which is not preferred by persons deprived of their liberty, and that "Viber" and "WhatsApp" are not designed for computers and often technical issues occur, the Penitentiary Service acquired tablets following a tender.

It is also noteworthy that in 2023, sanctions involving deprivation of the right to use a telephone or video call or to a visit, were applied only 106 times.

*With reference to paragraphs 71-76 and 80 of the Report*

In 2023, 3 cells designated for mothers with children under the age of 3 were completely renovated at "Abovyan" penitentiary institution. Additionally, a procurement procedure was conducted for "Abovyan" penitentiary institution, resulting in the purchase of children's beds, cell furniture (dressers, wardrobes, chairs), sports equipment, library equipment (reading desks, tables, bookcases, computer equipment), and provision of new washing machines. As mentioned with regards to paragraph 32, the improvement works of the territory of "Abovyan" penitentiary institution will also include the expansion and improvement of the exercise yards.

The "Abovyan" penitentiary institution is provided with access to hot water around the clock in the cells designated for mothers with children under the age of 3, and 2 to 3 times a week — in all other blocks of the building.

The possibilities of providing a 4-hour daily walk for mothers with children under the age of 3 will be discussed as part of the amendments to the penitentiary legislation.

*With reference to paragraphs 77 and 78 of the Report*

The Penitentiary Service attaches importance to ensuring employment opportunities for persons deprived of their liberty, including women, who are held in cell conditions, and consistently tries to involve them in the events implemented, to maintain a certain proportion.

After July 2023, various events and educational programmes were implemented at "Abovyan" penitentiary institution again. Starting from 24 May 2024, a five-week continuous programme organised by the "Legal Initiatives Centre" NGO was launched and

implemented in "Abovyan" penitentiary institution, which was conducted in the format of meetings once a week. The trainings conducted as part of the programme focused on healthy lifestyle, health maintenance, emotions and conflict management, and parenting skills. It should be noted that the programme was primarily attended by women deprived of their liberty who were held in cell conditions.

Upon Letter of the Central Body of the Service No 40/12-1697 of 22 March 2024, the head of "Abovyan" penitentiary institution was instructed to ensure the continuous provision of the following points:

- considering the demands of minors deprived of liberty for resocialisation and formation of positive behaviour in case of convicts, and productive employment and purposeful organisation of free time in case of detained persons, it is necessary to activate as much as possible the permissible measures and works provided for by law aimed at the fulfilment of the above-mentioned demands, to give priority — during the planning and implementation of these measures and works — to the age characteristics of minors and the needs and risks arising therefrom;
- considering the gender-related characteristics of women deprived of their liberty, it is necessary to activate the permissible measures and works provided for by law aimed at resocialisation and formation of positive behaviour in case of convicts, and productive employment in case of detained persons, and to give priority — during the planning and implementation of these measures and works — to the gender-sensitive approach and the primacy of gender-related characteristics.

In the first semester of 2024, the following cultural and religious events were organised and implemented for ensuring the resocialisation and productive employment of women and minors held at "Abovyan" penitentiary institution:

1. On 8 January 2024, a water consecration ritual was organised together with priest Father Arsen Hambardzumyan, and the convicts presented the sacrament of the day. Detained minors also took part in the event (9 participants).

2. On 10 January 2024, on the initiative of the Department for Social, Psychological and Legal Affairs, the legal non-governmental organisation "In the Name of Freedom", together with the educational and cultural NGO "EI-Mar" Institute of Innovative Creative Arts, showed the New Year comedy performance "Knight of the Heart". Detained minors also took part in the event (21 participants).
3. On 26 January 2024, a celebration of the Feast of St. Sargis was held, and the sacrament of the day was presented; priest Father Arsen Hambardzumyan also participated in the event (3 participants).
4. The path of the army was presented, the film "Trenchmate" was watched (7 participants).
5. On 9 February 2024, a religious event was organised by amateur unions, the "Seven Sundays of the Fasting" were presented and a discussion was organised with the clergyman (13 participants).
6. On 13 February 2024, a celebration of "Tyarnyndaraj" was held, and the sacrament and traditions of the day were presented. Father Arsen Hambardzumyan also participated in the event (13 participants).
7. On 7 March 2024, an event dedicated to the International Women's Day was held (12 participants).
8. On 7 April 2024, an event dedicated to the Day of Motherhood and Beauty was held. Detained minors also took part in the event (52 participants).
9. On 29 May 2024, a film dedicated to the "Independence Day of the First Republic of Armenia" was watched and discussed, and a cultural event was held (5 participants).
10. On 12 June 2024, in collaboration with the Service and the "Fridtjof Nansen" Museum, the documentary film "F. Nansen: the Conscience of the World" was shown, a cultural event was held (24 participants).

On 4 June 2024, a meeting of women deprived of liberty with their children was organised on the occasion of International Children's Day at "Abovyan" penitentiary institution by the "Centre for the Implementation of Legal Education and Rehabilitation

Programmes" SNCO and the Institution; the event was attended also by minor detained persons.

Within the framework of the programme "Healthy soul in a healthy body, for the sake of ensuring the well-being of women deprived of liberty and women beneficiaries of probation", the "Legal Initiatives Centre" non-governmental organisation implemented the below-listed trainings on the following topics at "Abovyan" penitentiary institution: on 24 May 2024 — "Healthy Lifestyle", on 31 May 2024 — "Management of Emotions", on 17 June 2024 — "Health Maintenance", on 14 June 2024 — "Management of Conflicts" and on 21 June 2024 — "Parenting Skills"; the trainings were attended by 12 female convicts.

The "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO is conducting a module that includes the courses "Fundamentals of Sewing," "Communication Skills," and "Computer Skills," with participation of 10 female convicts.

Since 4 June 2024, the "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO has been conducting also the courses "Decorative Art", "Communication skills", and "Computer skills", which involves 10 female convicts.

*With reference to paragraph 79 of the Report*

Regarding the work performed aimed at ensuring the resocialisation of minors deprived of liberty at "Abovyan" penitentiary institution, it should be noted that for organising the leisure time of minors deprived of liberty effectively, they can use the library, daily walks, the exercise room in the detention facility, which is equipped with sports equipment (tennis table, bicycles, table designated for arm strength, weight machine, treadmill, gymnastic ring, skipping ropes).

In the Penitentiary Institution, spiritual conversations are held once a week, led by a clergyman. On 23 June 2023, detained minors also participated in the discussion on the topic "Bible interpretations" with the participation of a clergyman.

General education was carried out by the "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO.

In the 2022-2023 academic year, 9 minor detained persons, and in the 2023-2024 academic year — 6 minor detained persons were included in the general education programme.

1 minor detained person continued his studies at the "Crisis Management State Academy" of the Ministry of Internal Affairs of the Republic of Armenia.

Movie watching and discussions, along with sports and religious events, were organised for minors and detained persons under 19 years of age.

On 12 April 2023, an event entitled "Armenian Haiduk movement at the end of the 19th and beginning of the 20th century" was held with the support of the Department for Social, Psychological and Legal Affairs of "Abovyan" penitentiary institution and on the initiative of the "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO; it was conducted for persons up to 19 years old serving a sentence in the form of imprisonment.

On 18 December 2023, an event on the topic "Our everlasting and non-stop journey" was held, dedicated to the Armenian scholastics, which plays a vital role in preserving the Armenian nation and exploring the paths of its development. Detained minors involved in the general education programme also participated in the event.

It should be noted that under the current penitentiary law, a minor convict is entitled to a daily walk of at least two hours.

*With reference to paragraph 83 of the Report*

The Penitentiary Service also attaches importance to the need for expansion of the scope of psychological support and increase in the therapeutic role of psychologists in penitentiary institutions, however, there are a number of obstacles, including the fact that the positions of psychologists in penitentiary institutions are classified as positions of civil service, with relatively low salaries, extensive work experience required to fill these positions, and standard competitive hiring procedures, without professional differentiation, are defined. The challenges mentioned have made it increasingly difficult, if not nearly impossible, to fill vacancies for psychologists and social workers with skilled and competent professionals; therefore, to address these issues, recruit qualified personnel for the departments providing socio-psychological support, enhance work efficiency, and properly fulfil the functions outlined by law, the Penitentiary Service has initiated discussions with the Ministry of Justice of the Republic of Armenia, proposing establishing resocialisation departments within the Penitentiary Service, exclusively staffed by trained psychologists and social workers. With the described structural change, it is envisaged that the social workers and psychologists at the Central Body of the Penitentiary Service will perform functions aimed at ensuring uniformity of resocialisation works, compliance with laws and legal acts, and supervising functions, as well as will provide methodological support and supervisory services among the relevant specialists of all penitentiary institutions.



It was emphasised upon the presented proposal that due to the need to perform professional functions properly, it is important that the resocialisation departments operating within the Penitentiary Service have the status of penitentiary officers, receive equal pay, have equal social guarantees, but not be required to wear uniforms.

It should also be noted that taking into consideration the systemic and time-consuming nature of the changes required in case of implementation of the above-mentioned proposals, as well as considering the problems related to the number and professional skills of psychologists and social workers in the penitentiary system, the new requirements defined by legislation for resocialisation works, and based on the need to increase the quality, purposefulness and efficiency of these works, to maintain the principle of suitability and adequacy, and to improve the processes of resocialisation, the Penitentiary Service proposed to consider concluding a contract for the provision of social work and psychological services between the Penitentiary Service and an organisation meeting the specified requirements in the period preceding the implementation of the above-mentioned proposals, the delivery whereof should be envisaged in the following directions:

1. Involvement of social workers and psychologists from the organisation providing services in the resocialisation evaluation committees operating within the penitentiary institutions, participation in conducting professional evaluations underlying the resocialisation works, presenting to the commission the results obtained on the basis of the evaluations, and in the planning of further work.
2. Implementation of group psychological and social targeted work with convicts.
3. Implementation of supervision work for social workers and psychologists working in the penitentiary system (work carried out by a more experienced specialist with another specialist aimed at professional problems, issues, mental conditions).

*With reference to paragraphs 84 and 86-88 of the Report*

Following the visit of the Committee, women were appointed as the Head of "Abovyan" penitentiary institution and the Head of the Operative Subdivision thereof.

During the discussions, the management of the Service repeatedly stressed the importance of conducting medical examinations outside the hearing range of penitentiary officers, and the necessary instructions were given.

Training courses for penitentiary officers are organised as per structural subdivisions and held by "Centre for the Implementation of Legal Education and Rehabilitation Programmes" SNCO in accordance with the schedule and topics approved by the order of the Minister of Justice of the Republic of Armenia.

Taking into account the peculiarities of the works carried out with the persons deprived of their liberty in the Penitentiary Service, including in the institutions, the following topics have been included in the training courses:

- International standards for human rights protection in penitentiary institutions;
- International standards for combating torture, inhuman or degrading treatment;
- Peculiarities of the Penitentiary Code of the Republic of Armenia;
- Effective communication and conflict management skills in penitentiary institutions;
- Stress and time management skills;
- Peculiarities of combating criminal sub-culture in penitentiary institutions;
- Skills in the needs and risks assessment of convicts;
- Disciplinary regulations of the Penitentiary Service;
- General description of the rights and obligations of penitentiary and civil servants;
- Peculiarities of combating drug addiction and trafficking in drugs among convicts and detained persons;
- Peculiarities of work carried out with minor offenders in the penitentiary system;
- Peculiarities of work carried out with vulnerable groups in the penitentiary system (peculiarities of work carried out with women, persons over 65, disabled and other persons);
- Peculiarities of personal data protection in the Penitentiary Service;
- Peculiarities of the use of tools for suicide, self-harm and mental health risk assessment in penitentiary institutions;
- Prevention of human trafficking;
- Organisation of the process of resocialisation of convicts;
- The problems of security, protection provision and escort organisation in the Penitentiary Service, and the legal and organisational structures aimed at solving

them;

- Organisation of operative-intelligence activities in penitentiary institutions.

In 2023, training was organised for 480 officers from various subdivisions of the Penitentiary Service.

Additionally, on 2-3 May 2023, experts from the German Foundation for International Legal Cooperation (IRZ) conducted a professional training seminar at "Vanadzor" penitentiary institution, entitled "Practical Issues of the Execution of Punishment — Development of Individual Concepts for Employees of Penitentiary Institutions of the Republic of Armenia," which was attended by employees of "Vanadzor" penitentiary institution.

On 4-6 May 2023, experts from the German Foundation for International Legal Cooperation (IRZ) conducted a professional training entitled "Training for the Professional Services of Penitentiary Institutions. Measures Aimed at Diagnosis and Prognosis, as well as the Implementation of Therapy Programmes," which was attended by psychologists and social workers from the Department for Social, Psychological, and Legal Affairs of the Central Body of the Penitentiary Service, as well as similar departments from "Abovyan," "Artik," "Armavir," and "Sevan" penitentiary institutions.

On 17-19 and 23-25 May 2023, the YSU Center for European Studies held trainings on "Prevention of Torture, Inhuman and Degrading Treatment and Punishment in Penitentiary Institutions" and "Peculiarities of Serving the Sentence by Minors," respectively, which were attended by employees from the Central Body of the Penitentiary Service, as well as staff from the Department for Social, Psychological, and Legal Affairs, Security, and Operational Departments of "Abovyan," "Armavir," "Hospital of Convicts," "Nubarashen," and "Vardashen" penitentiary institutions.

On 25-26 and 29-30 August 2023, as part of the programme "Strengthening the Protection of the Rights of Persons in Detention" implemented by the Council of Europe, training courses were held on "Specialized Skills and Knowledge Training for Psychologists and Psychiatrists Working in Penitentiary Institutions", which were conducted for psychologists and psychiatrists from penitentiary institutions.

On 22 and 23-25 November 2023, as part of the program "Strengthening the Protection of the Rights of Persons in Detention" implemented by the Council of Europe, two-stage training courses on the needs and risk assessment of convicts were conducted in the penitentiary institutions, the first stage whereof (November 22) was attended by the representatives of the Central Body of the Penitentiary Service and the management staff

involved in the resocialisation evaluation committees in "Abovyan", "Armavir", "Sevan" and "Vardashen" penitentiary institutions, and the second stage (November 23-25) was attended by employees of the mentioned penitentiary institutions and the Department for Social, Psychological and Legal Affairs of the Central Body of the Penitentiary Service.

The information on ensuring communication with foreign women deprived of liberty is presented in the part regarding paragraph 41.

*With reference to paragraphs 91-95 of the Report*

There are 11 certified institutions and small homes delivering 24-hour care services for the elderly or persons with disabilities in the Republic of Armenia, of which 7 are governed by five non-governmental organisations ("Armenian Red Cross Society", "Mission Armenia", "Khnamq" non-governmental organisations, "Vanadzor Old Age Home", "Jermuk Ankyun" foundations), and 4 of them are state non-commercial organisations ("Haghtanak" and "Nork" 24-hour care centres, "Dzorak" and "Vardenis" specialised care centres). At the specified institutions, as well as at the territorial offices of the unified social service, brochures on the delivery of care services can be found; moreover, there are boxes for complaints in relation to the services delivered to beneficiaries, and regular inspections whereof are performed at the organisations.

For the purpose of delivering the best care to beneficiaries, organising consistent social work, as well as following the disciplinary, sanitary-hygienic rules and other procedural issues at the SNCO under the Ministry of Labour and Social Affairs of the Republic of Armenia, the Ministry regularly issues assignments, sets deadlines for the performance thereof, and checks the implementation of the assignments through monitoring visits of the multi-disciplinary working team. After the conducted researches, organisations regularly report to the Ministry on the outcomes and the works performed.

*With reference to paragraphs 96-101 of the Report*

The issue of living and care conditions of the beneficiaries shall be settled after the renovation of the organisations' buildings and constructions. Currently, design works are being carried out based on paragraph 26 of Section 4.6 of the Programme of the Government of the Republic of Armenia for 2021-2026. The works are performed in stages, according to point 13 of Annex No 2 to Decision of the Government of the Republic of Armenia No 1902-L of 2021 and the schedule approved by Decision of the Government of the Republic of Armenia No 2323-N of 28 December 2023. Currently, tender for renovation at "Dzorak" is in progress, along with all the documents necessary for capital construction; the design and estimate documents for "Haghtanak" have undergone a complex expert examination and the renovation will start after the cadastral verifications

are completed, whereas the design and estimate documents for "Nork" and "Vardenis" will be ready to submit for complex expert examination this year.

*With reference to paragraph 103 of the Report*

Decision of the Government of the Republic of Armenia No 1744-N of 10 November 2022 prescribes staff units, in which the rate for psychiatrists is regulated as well. Considering the fact that the Republic is in strong need of psychiatrists, which is particularly prevalent in border communities, regulations also include the option of 24-hour care, for the purpose of which the specialist may make a full-day visit to the community from other communities, which will allow not only to solve the lack of 24-hour oversight, but also the need for the professional potential.

In practice, steps in this direction are also being taken and sometime later one 24-hour shift may also be arranged at the care center of Vardenis.

*With reference to paragraph 104 of the Report*

In the course of the current year, increase in the salaries of the employees of 24-hour care centres is not envisaged, since the last time salary increase took place in 2023. Calls for tenders are constantly published on the official website of the Ministry of Labour and Social Affairs and are being circulated by the Department for Employment Issues of the Unified Social Service.

*With reference to paragraph 105 of the Report*

The training courses for those who are actually employed are conducted by the National Institute of Labour and Social Research, Office of the Human Rights Defender, Units of the United Nations and non-governmental organisations cooperating with the Ministry of Labour and Social Affairs. The regular training courses of October of the current year by the "Mission Armenia" Charitable NGO are on the following topics:

1. Peculiarities of the works carried out with the elderly.
2. Psychology of suicidal behaviour, motivation of persons of the pension age towards life.
3. The procedure for selecting and applying methods of physical restraint, measures of isolation and sedation for persons with mental health issues at specialised care institutions.
4. Peculiarities of care services at 24-hour specialised care institutions, including for persons in need of bed care.
5. Peculiarities of diet of the elderly or persons with disabilities, and ten other topics.

*With reference to paragraphs 112-116 of the Report*

It is worth mentioning that necessary legislative changes in the Civil Procedure Code of the Republic of Armenia have been drafted providing for the right of the citizen and their family members to apply for the cancellation of the decision to undergo compulsory psychiatric hospital treatment. It is envisaged to revise the regulations related to the right of access to the court of persons recognized as legally incompetent, excluding disproportionate restrictions on the right to appeal to the court or to be heard on other issues related to their rights and interests. Necessary laws are being drafted.

*With reference to paragraph 125 of the Report*

The military servicepersons arrested in the manner prescribed by the Criminal Procedure Code of the Republic of Armenia or serving the detention as a measure of restraint, or sentenced to punishment by way of short-term deprivation of liberty are admitted to the garrison disciplinary isolator of the Ministry of Defense, and the procedure for submitting proposals, complaints or applications by them are prescribed by Decision of the Government of the Republic of Armenia No 1366-N of 11 August 2023 “On Establishing the Internal Regulations for Garrison Disciplinary Isolator”.

The Disciplinary Battalion of the Military Police of the Ministry of Defense is not fully operating yet, which is preconditioned by the construction of the building at the location of the battalion (in Gyumri).

As to disciplinary companies, it is important to note that the disciplinary companies operate under 5 territorial divisions of the Military Police (Yerevan, Martuni, Kapan, Sisian, Ijevan), they are envisaged not for military servicepersons taken into custody, but for military servicepersons serving “Holding in the disciplinary company for a term of ten days to one month” disciplinary penalty, who — for the purpose of voicing their problems — have the opportunity to communicate with the feldsher of the military unit, deputy commander of the company on moral and psychological activities, as well as to make everyday phone calls. Military servicepersons of senior officer personnel of the Armed Forces of the Republic of Armenia, representatives of the Office of Human Rights Defender of the Republic of Armenia make visits to disciplinary companies on a regular basis, during which military servicepersons may submit their complaints, applications and proposals.

In addition, after serving the punishment in the company, military servicepersons return to military units of permanent service and in case of violence perpetrated against them in military companies, or other complaints, they may submit a report to the superior commanders in the prescribed manner.

At the same time, the primary objective of the Ministry of Defense Human Rights and Integrity Building Centre, the Military Police and the Department for Moral and Psychological Support of the General Staff of the Armed Forces of the Ministry of Defense is to ensure human rights protection in the Armed Forces based on the Constitution, regulatory legal acts and international treaties of the Republic of Armenia.