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## **EUROPEAN SOCIAL CHARTER**

15<sup>th</sup> National Report on the implementation of the European  
Social Charter

submitted by

**THE GOVERNMENT OF ARMENIA**

Articles 3, 12, 13 and 14

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**CYCLE 2021**



**EUROPEAN SOCIAL CHARTER**

**(REVISED)**

**Report of the Republic of Armenia**

Articles 3, 12, 13, 14

Reporting period: 2016-2019

### Article 3. The right to safe and healthy working conditions

#### Article 3.1.

*Information with regard to the changes taken place during the reporting period and to questions submitted by the European Committee of Social Rights (hereinafter referred to as “the Committee”)*

According to point 10 of Decision of the Government of the Republic of Armenia No 444-N of 27 April 2017, the State Health Inspectorate of the Staff of the Ministry of Health of the Republic of Armenia was liquidated on 21 August 2017, and, upon the same Decision, the Health Inspectorate of the Ministry of Health of the Republic of Armenia was established on the basis of parts 1 and 4 of Article 5 of the Law of the Republic of Armenia “On inspection bodies”.

Upon Decision of the Prime Minister of the Republic of Armenia No 755-L of 11 June 2018, the Health Inspectorate of the Ministry of Health of the Republic of Armenia was re-organised into the Health and Labour Inspectorate of the Republic of Armenia, and the Charter of the latter was approved.

According to point 1 of the Charter, the Health and Labour Inspectorate of the Republic of Armenia shall be a body carrying out supervision and other functions prescribed by law, subordinate to the Government of the Republic of Armenia, which imposes sanctions as prescribed by law also in the field of labour law, including health care and ensuring of safety of employees, by acting on behalf of the Republic of Armenia.

According to point 10 of the Charter, risk management in the sector of labour law, including health care and ensuring of safety of employees, and supervision over compliance with the requirements of laws and other regulatory legal acts of the Republic of Armenia, as well as implementation of preventive measures in the sectors of ensuring of safety, health care and regulating labour relations of employees shall be of tasks of the Health and Labour Inspectorate of the Republic of Armenia.

According to the Law of the Republic of Armenia “On inspection bodies”, the task referred shall be achieved through the principle of integrity — the Health and Labour Inspectorate of the Republic of Armenia shall exercise its functions through preventive activities, supervision and feedback, which complement each other by ensuring the continuity and integrity of activities of the Health and Labour Inspectorate of the Republic of Armenia. Moreover, preventive activities are deemed to be — at all levels — a primary measure for exercising the functions of the Health and Labour Inspectorate of the Republic of Armenia.

At the same time, the policy for the sector of human rights protection adopted by the Government of the Republic of Armenia is enshrined by Decision of the Government of the Republic of Armenia No 1978-L of 26 December 2019 “On approving the National Strategy for Human Rights Protection and the 2020-2022 Action Plan deriving therefrom”, which is based on the idea of the human as a supreme value, and the Strategy and the Action Plans are targeted at improving the legal well-being, safety and protection of all persons in the Republic of Armenia, in compliance with the universally recognised international standards.

In particular, the 2020-2022 Action Plan deriving from the National Strategy for Human Rights Protection, approved by the above-indicated Decision, provides for elaborating relevant draft legal acts prescribing requirements for health care and ensuring of safety of employees and submit them to the Office of the Prime Minister of the Republic of Armenia by the first quarter of 2022, which are aimed at improving the legislation of the Republic of Armenia and making it complete. As a result of adoption of the relevant legal acts, enhancement of more effective mechanisms and measures for exercising the right to healthy, safe and decent working conditions will be ensured for each employee.

Elaboration of relevant draft legal acts aimed at improving the legislation of the Republic of Armenia and making it complete, prescribing requirements for health care and ensuring of safety of employees, and their submission to the Office of the Prime Minister of the Republic of Armenia by the third ten-day of May 2022 is also provided for by point 4 of the List of Measures Ensuring the Implementation of the 2019-2023 Action Plan of the

Government of the Republic of Armenia approved by Decision of the Government of the Republic of Armenia No 650-L of 16 May 2019. The indicated measure pursues the aim to clarify and improve the mechanisms for regulation of labour relations within the scope of exercising the right to decent work, as well as bring the legislation of the Republic of Armenia in line with the requirements enshrined by international treaties.

The Comprehensive and Enhanced Partnership Agreement signed between the Republic of Armenia and the European Union also has a significant importance for ensuring healthy, safe and decent working conditions for each employee. The Roadmap and Action Plan drawn up for approximating Directives, enshrined by Annex VII to Chapter 15 entitled “Employment, Social Policy and Equal Opportunities”, provide for approximating the legislation of the Republic of Armenia on health and safety at work to the legislation of the European Union.

With a view to increasing the effectiveness of risk management in the sector of health care and ensuring of safety of employees, including socio-psychological risks, employees of the Health and Labour Inspectorate of the Republic of Armenia always undergo training.

In particular, in February 2020, the employees of the Health and Labour Inspectorate of the Republic of Armenia participated in the four-day courses entitled “Training on Enterprise Risk Assessment and Management: Theory and Practice” organised by the International Labour Organisation and conducted by the specialists thereof.

At the same time, the annual strategic programme for officers of the Health and Labour Inspectorate of the Republic of Armenia is approved each year. In particular, risk assessment and management in the sector of health care and ensuring of safety of employees was defined as a strategic goal in the 2020 Strategic Programme of the Health and Labour Inspectorate of the Republic of Armenia.

The Health and Labour Inspectorate of the Republic of Armenia exercises state supervision — prescribed by law — in the sector of health care and ensuring of safety of employees upon the principle of being guided by riskiness; in particular, activities for risk assessment of economic entities operating in the sector are being performed, and functions and

resources are targeted at the sectors and economic entities which are riskier. The Health and Labour Inspectorate of the Republic of Armenia has conducted 5271 (five thousand two hundred seventy-one) preventive measures (awareness-raising, provision of consultation, methodical support, etc.) from 2018 until today also for the purpose of risk management in the sector of health care and ensuring of safety of employees.

The Health and Labour Inspectorate of the Republic of Armenia performs risk assessment of economic entities taking as a basis the Decision of the Government of the Republic of Armenia No 1124-N of 22 August 2019 “On approving the methodology of inspections based on risk conducted by the Health and Labour Inspectorate of the Republic of Armenia, and the general description of criteria determining the riskiness, and repealing Decision of the Government of the Republic of Armenia No 522-N of 19 April 2012”. In essence, the principle of being guided by riskiness also lies at the basis of inspections conducted by the Health and Labour Inspectorate of the Republic of Armenia. According to part 1 of Article 1 of the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", "This Law shall regulate the relations pertaining to the organisation and conduct of inspections and examinations in commercial and non-commercial organisations registered in the Republic of Armenia or in foreign states and carrying out activities in the territory of the Republic of Armenia, institutions (including those of a foreign legal person), a branch or a representation of a legal person, local self-government bodies, as well as of the activities of individual entrepreneurs (hereinafter referred to as "economic entities"), and shall prescribe the unified procedure for conducting thereof.”

According to part 1 of Article 2.1 of the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", “The system of inspections based on risk shall be a complex of measures implemented with a view to plan inspections carried out by bodies conducting inspection. The body conducting inspection through the system of inspections based on risk shall aim the inspections at the sectors and objects of supervision which are riskier.”

According to part 2 of Article 2.1 of the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", the methodology of inspections

based on risk and the general description of criteria determining the riskiness shall be approved by the Government of the Republic of Armenia, whereas the procedure for their calculation and assessment shall be approved by the state body conducting inspection.

According to part 3 of Article 4 of the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", depending on the level of riskiness of the economic entity, inspections at the same economic entity carried out by the same state body shall be conducted at the following frequency:

- at entities with high riskiness — not more than once a year;
- at entities with medium riskiness — not more than once three years;
- at entities with low riskiness — not more than once five years.

Complaints submitted by the public are also an important source for risk assessment and management, which, pursuant to Article 16 of the Law of the Republic of Armenia "On inspection bodies", are analysed, monitored and used for risk management.

At the same time, according to the Law of the Republic of Armenia "On inspection bodies", existence of changes in riskier fields of the sector and change of situation in three to five high risky sectors of supervision by the Health and Labour Inspectorate of the Republic of Armenia, i.e. decrease of riskiness, are of criteria for assessment of activities of the inspection body.

According to Article 253 of the Labour Code of the Republic of Armenia, the employer shall be obliged to inform the employees about all issues relating to the analysis and planning of the ensuring of safety and health condition of employees, organising such activities and supervision over them, as well as consult with them. The employer shall be obliged to involve the employees' representatives in the discussion of the issues regarding the ensuring of safety and health of employees. The employer may establish a commission on ensuring of safety and health of employees of the organisation, the rules of procedure whereof shall be prescribed by the Government of the Republic of Armenia.

It has been prescribed by Decision of the Government of the Republic of Armenia No 1007-

N of 29 June 2006 “On approving the procedure of activities of the Commission on Ensuring of Safety and Health of Employees of the Organisation”, according to point 3 of the Procedure approved by the Annex thereto, the goal of activities of the Commission shall be ensuring the participation of employees within the organisation in the activities of monitoring occupational risks, of planning and organising of preventive measures for ensuring and maintaining a healthy and safe working environment, as well as of analysing the health condition of employees.

According to points 13-18 of Section 4 of the same Procedure:

13. In performing its activities, the Commission shall be governed by the Labour Code of the Republic of Armenia, regulatory legal acts in the field of ensuring of safety and health care of employees, the collective agreement, internal legal acts of the organisation and this Procedure.
14. The Commission shall organise its work through sittings, which shall be convened in accordance with its Rules of Procedure or, based on necessity, but not less than once every 3 months.
15. The Commission shall carry out its activities in accordance with its Rules of Procedure which shall be approved by the Commission.
16. The sitting of the Commission shall have quorum if more than half of the members of the Commission participate. Decisions of the Commission shall be adopted by voting with more than half of the “for” votes of the members having participated therein. The voting shall be conducted by open ballot.
17. The Commission may involve responsible workers of the sub-divisions of the organisation as participants in its sittings.
18. The Commission shall:
  - (a) receive information from the employer about hazardous and harmful factors of the production environment and the working process;



- (b) inform — based on the requests and suggestions of the employees, as well as through enquiries conducted among employees — about the implementation of occupational safety and health protection measures carried out by the employer at the workplace;
- (c) submit a proposal — based on information received — to the employer on the necessity of conducting additional examinations through other specialised organisations;
- (d) assist the employer and the state authorised bodies in carrying out official investigation into cases of production accidents and occupational diseases as prescribed by the legislation of the Republic of Armenia;
- (e) participate in the organisation of a training on occupational safety and health protection in the organisation;
- (f) regularly, but at least once a year submit a report on its activities to the team of employees.

## **Article 12. The right to social security**

### **Articles 12.1 and 12.3.**

#### ***Information with regard to the changes taken place during the reporting period and to the questions submitted by the Committee***

In the Republic of Armenia issues related to compensation of damage caused to the life or health of a person as a result of accidents at the workplace and occupational diseases are regulated by the Labour Code of the Republic of Armenia, the Civil Code of the Republic of Armenia, the Law of the Republic of Armenia “On bankruptcy” and other legal acts.

The following regulations are given by the Labour Code of the Republic of Armenia and the Civil Code of the Republic of Armenia with regard to compensation of damage caused

to the life or health of a person as a result of accidents at the workplace and occupational diseases:

Part 1 of Article 202 of the Labour Code of the Republic of Armenia prescribes that, if the health condition of the employee has deteriorated due to the work performed (employee cannot perform the previous job due to injury, occupational disease and other reasons for deterioration of health) and it is impossible to transfer him or her to another job that corresponds to his or her profession, qualification and health condition due to lack of a relevant job within the given organisation, he or she shall, in the amount established by legislation, be paid a benefit prior to receiving the opinion of the State Medical and Social Commission of Experts regarding his or her working capacity. Where the employee has not been insured against accidents at the workplace and occupational diseases, the employer shall pay compensation for damage after the level of loss of working capacity is determined.

According to part 1 of Article 212 of the Labour Code of the Republic of Armenia, the monetary claims having arisen as a result of employment relations and related to damage caused to the life or health of an employee shall be compensated by the employer as prescribed by the legislation of the Republic of Armenia.

According to Article 234 of the Labour Code of the Republic of Armenia, the material liability of the employer arises, where an employee not having been insured against accidents at the workplace and occupational diseases has fallen ill with an occupational disease, got mutilated or died.

Article 234 of the Labour Code of the Republic of Armenia also prescribes that the employer shall compensate for the damage caused thereby as prescribed by the Civil Code of the Republic of Armenia.

Article 1077 of the Civil Code of the Republic of Armenia prescribes that damage caused to the life or health of a citizen while performing contractual obligations, as well as during the performance of military service, police service and other respective duties shall be compensated according to the rules provided for in Chapter 60 of the Civil Code (Articles 1077-1087), unless the law or the contract provide for a higher degree of liability.

According to parts 1 and 2 of Article 1081 of the Civil Code of the Republic of Armenia, in case of the death of the injured person (breadwinner), the following persons shall have the right to compensation:

- (1) persons without capacity for work, who were under the custody of the deceased or had the right to be under his or her custody by the day of his or her death;
- (2) the child of the deceased person born after the death thereof;
- (3) one of the parents, spouse, or a member of the family — regardless of his or her capacity for work — who does not work and is engaged in the care of children, grandchildren, brothers and sisters of the deceased, who were under the custody of the deceased and have not reached the age of fourteen or who, although having reached this age, however need additional nursing care due to their health condition according to the conclusion of medical institutions;
- (4) persons that were under the custody of the deceased and have lost capacity for work in the course of five years after his or her death.

One of the parents, the spouse or other member of the family — who does not work and is engaged in the care of children, grandchildren, brothers and sisters of the deceased person and who has lost capacity for work during the period of taking such care — shall retain the right to compensation for damage after the end of the care for these persons.

The damage shall be compensated to:

- (1) the minors, before they reach the age of eighteen years;
- (2) the students over eighteen years, until they graduate from educational institutions with full-time instruction, but not more than until they reach the age of twenty-three years;
- (3) the women over fifty five years old and men over sixty years old, for life;
- (4) the persons with disabilities, for the period of disability;
- (5) one of the parents, the spouse or another member of the family who is engaged in the care of children, grandchildren, brothers and sisters under the custody of the

deceased, until they reach the age of fourteen years.

Parts 1 and 2 of Article 1086 of the Civil Code of the Republic of Armenia prescribe that:

In case of the re-organisation of a legal person declared — in a prescribed manner — as responsible for the damage caused to life or health, its legal successor shall bear the obligation to pay the respective compensation. Claims for the compensation of damage shall be submitted thereto.

In case of the liquidation of a legal person declared — in a prescribed manner — as responsible for the damage caused to life or health, the respective payments shall be capitalised for their payment to the injured person as per the rules prescribed by law or other legal acts.

Other cases of capitalisation of payments may be established by law or other legal acts.

In case the legal person declared — as prescribed by law — as responsible for the damage caused to the life or health is liquidated or declared as bankrupt, the issue of capitalisation of relevant payments and paying them to the injured person are regulated by Decision of the Government of the Republic of Armenia No 914-N of 23 July 2009 “On approving the procedure for capitalisation of relevant payments and paying them to the injured person in case the legal person declared — as prescribed by law — as responsible for the damage caused to the life or health is liquidated or declared as bankrupt”.

Point 16 of the rules on the procedure for compensation of damage caused as a result of mutilation, occupational disease and other damage to health related to performance of work duties of employees of enterprises, institutions, and organisations (irrespective of type of ownership), in effect until 26 August 2004, approved by Decision of the Government of the Republic of Armenia No 579 of 15 November 1992, prescribed that in case of termination of activities of the organisation responsible for mutilation, occupational disease and other damage to health related to performance of work duties of employees as a result of liquidation or re-organisation thereof, the damage shall be compensated by (compensation for the damage shall be continued by) the legal successor thereof, whereas in case of absence

thereof — the Social Security Body at the expense of the State Budget.

The above-indicated point was repealed by Decision of the Government of the Republic of Armenia No 1094-N of 22 July 2004. The latter entered into force on 26 September 2004.

Currently, compensation for damage caused as a result of damage to health related to the performance of work duties is paid from the funds of the State Budget of the Republic of Armenia to persons (this refers to around 335 persons) the organisations declared as responsible for the damage caused whereto have been liquidated until 26 August 2004 (until the entry into force of Decision of the Government of the Republic of Armenia No 1094-N of 22 July 2004).

Points 6-7 of the rules approved by Decision of the Government of the Republic of Armenia No 579 of 15 November 1992 are applicable for calculation of the amount of compensation for the damage caused to the life or health of an employee as a result of accidents at the workplace and occupational diseases until the entry into force of the Civil Code of the Republic of Armenia (until 1 January 1999), whereas after the entry into force of the Civil Code of the Republic of Armenia — Articles 1077-1087 of the Code.

Article 17 of the Law of the Republic of Armenia “On enacting the Civil Code of the Republic of Armenia” concurrently prescribes that Articles 1078-1087 of the Civil Code of the Republic of Armenia shall also extend to the cases when damage has been caused to the life or health of a citizen until 1 January 1999, but not earlier than 1 January 1996.

Depending on the circumstance of when the damage to the life or health of a citizen has been caused at the workplace, either points 6-7 of the rules approved by Decision of the Government of the Republic of Armenia No 579 of 15 November 1992 or Articles 1077-1087 of the Civil Code of the Republic of Armenia shall be applied for calculation of the amount of compensation for the damage.

In particular:

Point 6 of the rules approved by Decision of the Government of the Republic of Armenia No 579 of 15 November 1992 prescribes that the amount of compensation for the damage

caused as a result of mutilation at work, occupational disease and other damage to the health shall be determined based on the average monthly earning received by the employee before the mutilation, occupational disease or other damage to the health was suffered, at the percentage rate corresponding to the degree of loss of capacity for professional work.

Whereas point 7 of the above-indicated rules prescribes that the amount of compensation for the damage may not be less than the sum total of the 20 per cent of the minimum monthly salary at the Republic of Armenia and the amount calculated as per the degree of loss of capacity for work of the employee against it.

Part 1 of Article 1078 of the Civil Code of the Republic of Armenia prescribes that in case of causing mutilation or other damage to the health of a citizen, the lost salary (income) which he or she was receiving or could have received, as well as additional expenses arising due to the deterioration of health, including expenses for medical treatment, supplementary nutrition, acquisition of medicines, prosthetics, nursing care, sanatorium-resort therapy, acquisition of special means of transport, obtaining of another profession shall be subject to compensation, where it is established that the injured person needs such types of support and care and does not enjoy the right to receive them free of charge.

According to parts 1, 2 and 3 of Article 1079 of the Civil Code of the Republic of Armenia, the amount subject to compensation for the lost salary (income) of the injured person shall be determined as a percentage of the average salary (income) he or she has received prior to disability or other injury to health or loss of capacity for work. This percentage shall be determined according to the degree of loss by the injured person of occupational capacity and, in case of absence of occupational capacity for work, the degree of loss of general capacity for work.

The lost salary (income) of the injured person shall include all types of payments of remuneration for his or her main or secondary work, taxable by income tax, performed under employment and civil-law contracts. Lump-sum payments, in particular compensation for unused vacation and retirement benefit shall not be taken into

consideration. The paid allowance shall be taken into consideration for the period of temporary incapacity for work or of maternity leave. Income received from entrepreneurial activities, as well as the author's royalties shall be included in the lost salary; moreover, income from entrepreneurial activities shall be included on the basis of the tax inspection data.

All types of salary (income) shall be considered in the amount before tax.

The average monthly salary (income) of the injured person shall be calculated by dividing his or her salary (income) of twelve months preceding the damage to his or her health by twelve. In case the injured person has worked for less than twelve months by the time the damage was caused, his or her average monthly salary (income) shall be calculated by dividing the total amount of salary (income) for the actually worked months by the number of these months.

The months during which he or she has worked not in full shall be replaced, at the option of the injured person, by the preceding months in which he or she worked in full and shall be excluded from the calculation in case their replacement is impossible.

That is to say, compensation for the damage caused to the health is paid for the full period of loss of professional capacity for work, whereas in case of absence of professional capacity for work — for the full period of existence of degree of loss of general capacity for work.

At the same time, Article 1082 of the Civil Code of the Republic of Armenia prescribes:

"1. The damage shall be compensated to the persons who have the right to compensation for the damage related to the death of the breadwinner in the amount of the part of the salary (income) of the deceased, as prescribed by rules of Article 1079 of this Code, which they received or had the right to receive for their maintenance during his or her lifetime. In determining the amount of compensation for the damage caused to these persons, together with the salary (income), the pension and other similar payments received during the lifetime of the deceased shall also be included in the

composition of his or her income.

2. In determining the amount of compensation for damage, the pensions awarded to the persons related to the breadwinner's death, and other types of pensions awarded both before and after the breadwinner's death as well as the salary (income) and the stipend received by these persons shall not be counted towards the compensation for their damage.
3. The amount of compensation defined for each person who has the right to compensation for the damage related to the death of the breadwinner shall not be subject to re-calculation, except for the following cases:
  - (1) the birth of a child after the death of the breadwinner;
  - (2) the assignment and termination of compensation payment to the persons engaged in the care of the children, grandchildren, brothers and sisters of the deceased breadwinner.
4. The amount of compensation may be increased by law or contract.”

According to parts 1 and 2 of Article 1083 of the Civil Code of the Republic of Armenia, the injured person, who has partially lost his or her capacity for work, shall have the right at any time to require compensation for damage from the person who incurs the obligation of compensation, to require the respective increase in the amount thereof, if the injured person's capacity for work has subsequently decreased due to the damage to the health as compared with the capacity for work which he or she had by the moment of being awarded the compensation for the damage. A person who incurred the obligation of compensation for the damage caused to the health of the injured person shall have the right to request reduction of the amount of compensation, where the injured person's capacity for work has increased as compared with that he or she had by the moment of awarding the compensation for the damage.

Part 1 of Article 1085 of the Civil Code of the Republic of Armenia prescribes that the compensation for damage related to the decrease in the capacity for work or the death of



the injured person shall be made through monthly payments.

Part 1 of Article 82 of the Law of the Republic of Armenia “On bankruptcy” prescribes the ranking of satisfaction of unsecured claims of creditors in case of liquidation of the legal person. In particular, according to sub-point “b” of part 1 of the Article referred, the claims of citizens with respect to which the debtor bears liability for causing damage to their life or health, by way of calculation of capitalisation of relevant regular payments, shall be satisfied at the second rank.

According to part 2 of Article 82 of the Law of the Republic of Armenia “On bankruptcy”, the payments made through capitalisation of regular payments related to the damage provided for by sub-point “b” of part 1 of the same Article shall be calculated before the citizen attains the age of 70, but not less than for 10 years. Where the citizen is more than 70 years old, the period of capitalisation of payments shall be of 10 years. The amount capitalised for compensating the damage shall be paid in regular payments, or in a lump sum — in case of consent of the person entitled to compensation.

The size and the procedure for capitalising the amounts for compensation, as well as payment thereof shall be prescribed by the Government of the Republic of Armenia.

It should be noted that minimum monthly salary was defined AMD 55,000 in the Republic of Armenia from 1 July 2015 until 1 January 2020, which increased by 23 per cent from 1 January 2020 by reaching AMD 68,000 (Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”).

No system of secondary and tertiary medical assistance free of charge or at discounted prices is introduced in the Republic of Armenia. Primary and specialised medical assistance is provided to the population in the Republic of Armenia. Primary medical assistance is provided at outpatient-polyclinic institutions and is free of charge for the entire population, whereas specialised inpatient medical assistance is free of charge for all groups included in the list of Annex 1 to Decision of the Government of the Republic of Armenia No 318-N of 4 March 2004 “On state-guaranteed free of charge medical assistance and services”. Unaffordable diagnostic examinations are also provided to persons included in Annex 1. Medical assistance and services, provided through modern and expensive technologies, are

provided to persons included in Annex 5 to the same Decision, whereas dental medical assistance and services free of charge and on preferential terms are also provided to persons included in Annex 10.

Within the scope of employment policy reforms, a new employment policy model was introduced by the Law of the Republic of Armenia “On employment”, the aim whereof is ensuring the stable employment of a person through increasing the degree of targeting of employment support programmes. As a result of the changes, the programme for payment of unemployment benefit was terminated, and the funds allocated to the programme were directed at the implementation of new and active employment programmes. From the point of view of the new regulation approaches, realistic opportunities were ensured in practice for essentially enhancing the individual coverage of inclusion of unemployed persons in employment programmes, if we take into account that active new employment programmes were introduced, and their list and inclusion potential gradually enhance.

In 2014, 4 new programmes were introduced ("Provision of support to rural economy through promotion of seasonal employment", "Provision of lump-sum compensation to the employer in case of job recruitment of persons who are non-competitive in the labour market", "Provision of support for availing of services provided by a non-state job recruitment organisation", "Provision of monetary aid to persons who are non-competitive in the labour market to visit employers for the purpose of appropriate job placement"), and conditions for implementation of 6 existing programmes ("Reimbursement of material costs of an unemployed person seconded to work at another place", "Organisation of vocational training for the unemployed persons and job seekers facing the risk of dismissal", "Provision of support to unemployed persons for gaining professional work experience in the acquired profession", "Provision of partial compensation for salary to the employer and compensation for salary for a person accompanying a person with disability in case of job placement of persons who are non-competitive in the labour market", "Organisation of job fairs", "Provision of support to small entrepreneurial activities of persons who are non-competitive in the labour market") were essentially modified. The programmes were mainly aimed at groups recognised as non-competitive in the labour market, including young persons, long-

term unemployed persons and migrants.

In 2018, 2 new employment programmes were also introduced for women: “Organisation of vocational training at the employer’s for young mothers who are non-competitive in the labour market and lack a profession” and “Provision of support to job seekers — on a leave to take care of a child under the age of three in case of returning to work before the child attains the age of two — for organising the care of the child in parallel with work”.

Each of the programmes currently being implemented is aimed at the solution of the issues of employment of a certain target group in the labour market (performance of the programmes according to years is presented in Table 1).

### Performance of state programme regulating employment (2016-2019)

**Table 1**

Name of the employment programme	Target group	Unit	Performance according to years			
			2016	2017	2018	2019
“Organisation of vocational training”	Unemployed persons and job seekers facing the risk of dismissal	Person	1274	165	98	369
“Provision of support to unemployed persons in finding employment elsewhere”	Unemployed persons	Person	25	0	4	11
“Provision of support to small entrepreneurial activities of persons who are non-competitive in the labour market”	Unemployed persons who are non-competitive in the labour market	Person	74	0	55	79
“Provision of support to persons who are non-competitive in the labour market for engaging in livestock breeding (cattle-breeding, sheep-breeding, swine-breeding, poultry-breeding)”	Unemployed persons who are non-competitive in the labour market	Person	54	0	0	1098
“Provision of support to unemployed persons for gaining professional work experience in the acquired profession”	Unemployed persons entering the labour market for the first time with the profession acquired	Person	482	511	425	398
“Provision of monetary aid to persons who are non-competitive in the labour market to visit employers for the purpose of appropriate job placement”	Unemployed persons who are non-competitive in the labour market	Person	2005	0	640	1032
“Provision of lump-sum compensation to the employer in case of job recruitment of		Person	736	1072	831	770

Name of the employment programme	Target group	Unit	Performance according to years			
			2016	2017	2018	2019
persons who are non-competitive in the labour market" (a/+b/)						
a/ "Lump-sum compensation to the employer for adjustment of workplace for unemployed persons with disabilities"	Persons with disabilities	Person	24	0	3	3
b/ "Lump-sum compensation to the employer for persons who are non-competitive in the labour market to acquire the necessary working skills and abilities"	Unemployed persons who are non-competitive in the labour market	Person	712	1072	828	767
"Provision of partial compensation for salary to the employer and compensation for salary for a person accompanying a person with disability in case of job recruitment of persons who are non-competitive in the labour market"	Non-competitive persons with disabilities	Person	436	0	32	38
"Organisation of vocational training at the employer's for young mothers who are non-competitive in the labour market and lack a profession"	Young women lacking a profession who are non-competitive in the labour market and enter the labour market for the first time	Person	0	0	112	110
"Provision of support to job seekers — on a leave to take care of a child under the age of three, in case of returning to work before the child attains the age of two — for organising the care of the child in parallel with work"	Persons who are on a leave to take care of a child under the age of three, who return to work before the child attains the age of two	Person			475	448
"Provision of support to rural economy through promotion of seasonal employment"	Persons residing in mountainous or high-mountainous or borderline rural settlements, who are non-competitive in the labour market	Person	7680	0	0	1820
"Provision of unemployed persons with temporary employment through organisation of paid public works"	Unemployed persons	Person	287	0	0	915
"Organisation of job fairs"	Job seekers	Measure	12	12	10	10
"Provision of support for availing of services provided by a non-state job recruitment organisation"	Unemployed persons who are non-competitive in the labour market	Person	0	0	0	0

In 2016, monitoring and assessment of cost-effectiveness of the Annual State Employment Programme (includes 15 programmes) were conducted (see the link: [http://www.mlsa.am/?page\\_id=14425](http://www.mlsa.am/?page_id=14425)). According to the assessment results, “The sum total of the savings and tax receipts gained as a result of implementation of the Programme exceeded the costs for implementation of the Programme by 1.2 times, attesting to the economic appropriateness of the Programme. That is to say, the country receives 1.2 drams for each dram spent, which means that the policy for implementation of active programmes is justified and, according to the international practice, is given importance to especially at the stage of economic shocks and recovery from those shocks.

Reforms of the sectoral policy currently being made are aimed at the referral of persons of working age of families record-registered in the indigence assessment system to work through their inclusion in employment programmes and further job placement. Detailed information on the mentioned programmes, in particular, conditions of implementation, amount of funding, is presented below:

- (1) *Organisation of vocational training for unemployed persons, job seekers facing the risk of dismissal from work, as well as persons seeking jobs during the six months prior to the end of serving the punishment in the form of imprisonment:*
  - a. the aim of the programme is to assist the attendee in recruitment to an appropriate job through acquisition of new abilities and skills in compliance with the requirements of the labour market, decrease of the risk of being dismissed, as well as in engagement in entrepreneurial activities;
  - b. beneficiaries of the programme are unemployed persons, job seekers facing the risk of dismissal from work, as well as persons seeking jobs during the six months prior to the end of serving punishment in the form of imprisonment;
  - c. scholarship is awarded each month to the unemployed person included in the vocational training courses during the entire period of training.

(2) *Provision of partial compensation for salary to the employer and provision of monetary aid for a person accompanying a person with disability in case of job recruitment of persons who are non-competitive in the labour market, having returned from detention facilities, with disabilities, as well as having the status “child with disability”;*

- a. the aim of the programme is to contribute to the job placement of persons who are non-competitive in the labour market through a partial compensation of the salary provided to non-competitive persons by the employer and to ensure thereby stable employment;
- b. beneficiaries of the programme are non-competitive persons having returned from detention facilities, persons with disabilities, as well as persons having the status "child with disability";
- c. compensation is provided to the employer for the appropriate job placement of each non-competitive person for a period of one year — on monthly basis — in the amount of 50 per cent of the monthly salary prescribed for the given non-competitive person, but not more than the amount of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”, whereas monetary aid is provided to persons in need of an accompanying person for having an accompanying person, for the entire period of implementation of the programme — on monthly basis — in the amount of 50 per cent of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”.

(3) *Provision of support to unemployed persons for gaining professional work experience in the acquired profession:*

- a. the aim of the programme is to ensure stable employment for an unemployed person, entering the labour market for the first time with an acquired profession, through assistance shown for acquiring professional work experience relevant to his or her professional qualification, becoming more competitive in the labour

- market and finding an appropriate employment;
- b. beneficiaries of the programme are unemployed persons who have professional education and qualification;
  - c. salary is paid to the unemployed person from the State Budget of the Republic of Armenia during the entire period of implementation of the programme, in the amount of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”, whereas money is provided to the employer for compensating the income tax, the stamp duty and, in cases prescribed by law, the targeted social payment calculated from the salary of the unemployed person, as well as for conducting final settlement with the employee in case of rescission of the employment contract. Besides, money is paid to the specialist organising the process of acquisition of work experience at the employer’s — on monthly basis — in the amount of 50 per cent of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”;
  - d. the duration of the programme is three months.

*(4) Organisation of job fairs:*

- a. the aim of the programme is to ensure the stable employment for a job seeker, on the one hand, and to ensure efficient filling of vacancies available with an employer on the other hand, by means of direct communication between employers and job seekers;
- b. beneficiaries of the programme are job seekers and employers;
- c. the programme is a one-day event which is conducted through an organisation providing services, selected as prescribed by the Law of the Republic of Armenia “On procurement”.

*(5) Provision of support to unemployed persons in finding employment elsewhere:*

- a. the aim of the programme is the replenishment of vacant positions, especially those of doctors and teachers, that are continuously not filled in marzes of the Republic of Armenia, in particular, in rural settlements and border regions, and ensuring of stable employment through regulating the internal movement of workforce;
- b. beneficiaries of the programme are unemployed persons;
- c. the following costs are compensated to the beneficiaries within the scope of the programme:
  - transportation cost for transfer of the beneficiary and his or her family members;
  - transportation cost for transfer of necessary property of the beneficiary and his or her family members;
  - transportation cost for visiting the permanent place of residence 4 times in 2 years;
  - lump-sum financial assistance in the amount of the three-fold of the minimum monthly salary;
  - annual amount for the housing rent and utility payments, in the amount of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”, for a term of 2 years;
  - salary increment in the amount from 50 per cent up to 100 per cent of the minimum monthly salary prescribed by Article 1 of the Law of the Republic of Armenia “On minimum monthly salary”, for a term of one year, taking into account the priorities for filling the vacant positions according to specialisations;
- d. the duration of the programme is two years.



(6) *Provision of a lump-sum compensation to the employer in case of job recruitment of persons who are non-competitive in the labour market:*

The programme includes the following 2 sub-programmes:

1. lump-sum compensation to the employer for persons who are non-competitive in the labour market to acquire the necessary working skills and abilities;
2. lump-sum compensation to the employer for adjustment of workplaces for persons with disabilities.

The indicated two sub-programmes may be implemented for persons who are non-competitive in the labour market both jointly and separately:

- a. the aim of the programme is to ensure stable employment through providing opportunities to persons who are non-competitive in the labour market to acquire working skills and abilities at the workplace, as well as to ensure stable employment through assistance for the adjustment of the workplace for unemployed persons with disabilities;
- b. the beneficiaries of the programme are persons who are non-competitive in the labour market;
- c. within the scope of the 1st sub-programme, a lump-sum compensation in the amount from AMD 50.0 thousand up to AMD 200.0 thousand is provided to the employer for persons who are non-competitive in the labour market to acquire the necessary working skills and abilities, whereas costs for ensuring special supplies necessary for work, special organisational and technical and ergonomic requirements for adjustment of the workplace are compensated for each person included in the 2nd sub-programme for the purpose of adjustment of the workplace at the employer's, which must not exceed five hundred thousand drams per person.

(7) *Provision of support to persons who are non-competitive in the labour market for engaging in small entrepreneurial activities:*

- a. the programme is aimed at ensuring stable employment and providing support to persons who are non-competitive in the labour market for conducting small entrepreneurial activities and fostering self-employment, as well as creating additional jobs through assistance to small entrepreneurial activities;
- b. the beneficiaries of the programme are persons who are non-competitive in the labour market;
- c. the support necessary for the launch and implementation of entrepreneurial activities expected within the scope of the programme (consultation, instruction, development of a business plan and accompanying in the implementation of the latter) is conducted by an organisation selected as prescribed by the Law of the Republic of Armenia “On procurement”. The organisation works for one consecutive year, upon necessity, with the beneficiary having received support for engaging in entrepreneurial activities.

*(8) Provision of support to persons who are non-competitive in the labour market for engaging in livestock breeding (cattle-breeding, sheep-breeding, swine-breeding, poultry-breeding):*

- a. the programme is aimed at ensuring stable employment and providing support to persons who are non-competitive in the labour market for conducting small entrepreneurial activities and fostering self-employment, as well as creating additional jobs through assistance to small entrepreneurial activities;
- b. the beneficiaries of the programme are persons who are non-competitive in the labour market;
- c. the support provided within the framework of the programme includes the following directions:
  - the non-competitive person involved in the programme is given money for carrying out activities in the field of livestock breeding envisaged by the programme in the amount of 50 per cent of the minimum monthly

salary prescribed by Article 1 of the Law of the Republic of Armenia "On minimum monthly salary", for a period of one year, on monthly basis, including the income tax and in cases prescribed by law — the targeted social payment;

- lump-sum compensation for the purchase of animals and appropriate quantity of ear tags by a non-competitive person under the programme in the maximum amount of AMD 350.0 thousand;
- lump-sum compensation for the purchase of feed stuff in the maximum amount of AMD 230.0 thousand;
- the veterinarian is given money for carrying out activities provided for by the procedure for each programme, in the amount of 20 per cent of the minimum monthly salary, for a period of one year, on monthly basis, including the income tax and in cases prescribed by law — the targeted social payment.

9) *provision of support to rural economy through promotion of seasonal employment:*

- a. the programme is aimed at relieving — through ensuring seasonal employment — social tension and increasing labour productivity of the population in more vulnerable and poor rural settlements of the Republic, creating conditions for ensuring their stable employment, assisting farm enterprises through measures of quick response to challenges stemming from the situation;
- b. beneficiaries of the programme are persons who are non-competitive in the labour market, being owners or tenants or gratuitous users of up to 3 hectares of agricultural land, who have been record-registered as job seekers in the regional centre of the State Employment Office of the Ministry of Labour and Social Affairs of the Republic of Armenia, have submitted relevant documents certifying that he/she is an owner or tenant or gratuitous user of the land, and that he/she and his/her family members are not included in the state support programmes implemented by subsidising loan interest rates in the agricultural

sector;

- c. the programme is implemented as a priority in mountainous or high-mountainous land or borderline rural settlements of the Republic of Armenia;
- d. within the framework of the programme, priority is given to the implementation of crop cultivation programmes presented by the Ministry of Economy of the Republic of Armenia;
- e. the land user is given priority to be involved in the programme if:

the family is record-registered in the system of family indigence assessment and the indigence point is higher than 0;

there are two and more minors in the family;

one of the members of the family is a person with disability;

his/her family is a family of a military servant died during the protection of the Republic of Armenia or when performing service duties;

he/she is a graduate of an institution for social protection of population (orphanage);

he/she is a person represented by the territorial agency (division) of social assistance within the framework of social case management;

- f. within the framework of the programme, the land user included in the programme is provided with financial assistance in the amount of AMD four thousand for a person/day workload; in case of using agricultural machinery in the planned activities, the land user is provided with financial assistance in the amount of AMD five thousand per hour. Moreover, the cost of one programme may not be less than AMD fifty thousand and exceed AMD three hundred and fifty thousand.

10) *Organisation of vocational training at the employer's for mothers who are non-competitive in the labour market and lack a profession:*

- a. the programme is aimed at ensuring stable employment through providing

opportunities to young mothers who are non-competitive in the labour market and lack a profession to acquire working skills and abilities at the workplace;

- b. the beneficiaries of the programme are persons who are non-competitive in the labour market;
- c. duration of the programme may not exceed six months;
- d. persons involved in the programme are awarded scholarships for the entire period of the training in the amount of the minimum monthly salary to cover transportation and other costs required for participating in the vocational training, as well as to organise child care; the training specialist organising the vocational training at the employer is given a supplement in the amount of 20 per cent of his/her average monthly salary of the previous year, but not more than the minimum monthly salary, and in case the specialist organising the vocational training is a sole proprietor, he/she is paid — on monthly basis — a sum in the amount of 50 per cent of the minimum monthly salary. In addition, the employer is provided with lump-sum money in the amount of AMD 30.0 thousand to cover the material costs required for organising the vocational training.

*11) Provision of support to job seekers — on a leave to take care of a child under the age of three, in case of returning to work before the child attains the age of two — for organising the care of the child in parallel with work:*

- a. the aim of the programme is to increase the opportunities of persons on leave for taking care of a child under the age of three, to return to work by providing support aimed at organising the care of the child in parallel with work;
- b. beneficiaries of the programme are persons record-registered in the regional centres of the State Employment Office, who are on leave for taking care of a child under the age of three and are seeking jobs, who return to work before the child attains the age of two;

- c. during the implementation of the programme, each year for no more than 11 months, the beneficiary is paid money — on monthly basis — for the care of each child under the age of two in the amount of 50 per cent of the monthly remuneration stipulated by the service or employment contract, but not more than the minimum monthly salary.

12) *Provision of unemployed persons with temporary employment through organisation of paid public works:*

- a. organisation of paid public works is aimed at easing social tension in the Republic through ensuring temporary employment for unemployed persons, assisting communities through measures of quick response to challenges stemming from the situation;
- b. beneficiaries of the programme are the persons with unemployment status;
- c. maximum duration of the programme is three months.

A social insurance system has not been introduced in the Republic of Armenia. A social security system is being operated.

A three-level pension system operates in the Republic of Armenia:

- state pension system (includes persons entitled to a pension where the conditions set by the legislation are met);
- funded pension system (has been introduced since 2014, contributors of the mandatory component are employees born on or after 1 January 1974 (hired workers, persons working under civil-law contracts, sole entrepreneurs and notaries) and those involved voluntarily, regardless of the date of birth); there is also voluntary funded component;
- benefit system (includes the circle of persons not entitled to a state pension where the conditions set by the legislation are met).

According to the annual administrative statistics for 2019, information on the number of

persons receiving work pension and the number of persons receiving old-age benefit, disability benefit or benefit for loss of the breadwinner is presented in Table 2.

Table 2

Work pensions	Number of pensioners, persons	Average amount of pension, AMD
	total	total
<b>Total</b>	<b>464110</b>	<b>40033.9</b>
1. Retirement	330101	41436.8
2. Under privileged conditions	1747	41722.9
3. Long-term service	460	78267.6
4. Partial	12103	29406.2
5. Disability	112014	37557.9
5.1 As a result of an occupational mutilation	1366	37787.7
5.2 As a result of an occupational disease	224	45876.2
5.3 As a result of a general disease	110424	37538.2
5. According to groups of disability	112014	37557.9
1st group	5022	42017.9
2nd group	46154	40455.2
3rd group	60838	34991.7
6 In case of the loss of breadwinner	7685	29929.2
6.1 loss of one breadwinner	7562	28933.0
6.2 loss of two breadwinners	123	91177.6
Survivors of the Armenian Genocide out of the total number of pensioners	4	149721.5
Benefit in case of old-age, disability, loss of breadwinner	Number of persons enjoying benefits, persons	Average amount of benefit, AMD
	total	total
<b>Total</b>	<b>71773</b>	<b>25619.2</b>
1. Old-age	7783	25500.0
2. Disability	51993	25500.0
2.1. I group	3649	25500.0

Work pensions	Number of pensioners, persons	Average amount of pension, AMD
	total	total
2.2. II group	14928	25500.0
2.3 III group	25489	25500.0
2.4 Children with disabilities up to 18 years old	7927	25500.0
3. In case of the loss of breadwinner	11997	26213.2
3.1 loss of one breadwinner	11840	25500.0
3.2 loss of two breadwinners	157	80000.0
Survivors of the Armenian Genocide out of the total number of persons enjoying benefits	0	0.0

The amount of retirement pension does not depend on the amount of salary. It depends on the length of service, the amount of the basic pension for calculating the work pension (determined annually by the Government of the Republic of Armenia) and the value of one year of service (determined annually by the Government of the Republic of Armenia).

Taking into account the amount of the basic pension for calculating the work pension established on 1 January 2020 (decision of the Government of the Republic of Armenia N 1920-N of 26 December 2019), that is AMD 18,000, the value of one year of service, that is AMD 950 for the first ten years, AMD 500 for each year exceeding ten years, the amount of retirement pension with 25 years of service shall be AMD 37,550.

All the residents, regardless of the right to funded pension, shall be entitled to retirement pension from the age of 63 where their length of service is at least 10 years, and they shall be entitled to social pension (old-age benefit) from the age of 65 in case of absence of the required length of service.

The minimum amount of the retirement pension, as well as the amount of the social pension (old-age benefit, disability benefit, benefit in case of loss of breadwinner) is AMD 26,500 since 1 January 2020.

Since 1 January 2020, the minimum amount of disability work pension is AMD 33,700 for



the first group (26,500 + 18,000 x 40%), AMD 30,100 for the second group (26,500 + 18,000 x 20%), and AMD 26,500 for the 3rd group.

Since 1 January 2020, the amount of the minimum pension, that of old-age benefit, disability benefit (1st, 2nd and 3rd groups), benefit in case of loss of breadwinner is set to be AMD 26,500, taking into account the food (extreme) poverty line.

The term "minimum amount of pension" was defined in 2019. It has been established that the amount of the work pension and the benefit (old-age benefit, disability benefit, and benefit in case of loss of breadwinner) cannot be less than the amount of the minimum pension set by the Government of the Republic of Armenia.

The amount of the work pension depends on the length of service, the amount of the basic pension for calculating the work pension and the value of one year of service.

The issue of increasing the amounts of pensions is solved by increasing the amount of the basic pension and/or the value of one year of service.

According to the Programme of the Government of the Republic of Armenia, the amounts of state pensions will be regularly increased, ensuring a progressive increase in the amount of average pension in relation to inflation.

### **Article 13. The right to medical and social assistance**

#### **Article 13.1.**

#### ***Information with regard to the changes taken place during the reporting period and to the questions submitted by the Committee***

Since 1 January 2020, the amount of the minimum pension has been increased to AMD 26,500 (in the amount of the extreme (food) poverty line), and as of 2019, the average amount of pension in the Republic of Armenia has been AMD 40,100.

As for single (unemployed) retirees not having resources (not having children with capacity for work or guardians prescribed by law), it should be noted that they are entitled to social benefits where their pension does not exceed AMD 109,000. It should be noted here that this is a very high threshold of pensions, and we can state that single (unemployed) retirees not having resources in most cases receive social benefits as a supplement to their pension. Vulnerable elderly can, in addition to pensions, enjoy a number of social assistance programmes. In particular:

1. social benefits, the amount whereof is AMD 18,000 per month (as of 1 August 2016, the amount of the social benefit has been increased to AMD 18,000, which is higher for AMD 1,000 compared to 2014);
2. the right to receive medical care and services free of charge and on preferential terms guaranteed by the State, in case of having an indigence point of 30.01 and higher (in 2020, this point was set at 28.01 to involve more beneficiaries);
3. the right to pay at lower rates for consumed electricity and natural gas of up to 600 cubic meters per year (in case of having an indigence point above 20.00), as a result whereof they save about AMD 4,300 per month.

There are other benefits too, including exemption from certain state duties (for example, when obtaining passports or other official documents for which there is a fixed state duty). In order to improve the social conditions of single persons not having resources and to eliminate the poverty among them, they are provided with care and social services that are commensurate with their needs, as well as free daily food service in charitable canteens. "Centre of Home Social Service Provision for Single Elderly and Disabled People" state non-commercial organisation adjunct to the Ministry of Labour and Social Affairs of the Republic of Armenia provides home care services to the single elderly and persons with disabilities based on their needs. In some cases, the State also provides co-financing and delegating services to non-governmental organisations that specialise in providing home

care services to socially vulnerable people, most of which are single and disabled people. Home care envisages home services provided by social workers, social-psychological assistance provided by social workers and psychologists, medical care and services provided by doctors and nurses, as well as legal aid provided by legal counsellors.

According to Article 18 of the Law of the Republic of Armenia "On social assistance", each person residing in the Republic of Armenia — citizens of the Republic of Armenia, foreign citizens with the right (residency status) to reside in the Republic of Armenia, stateless persons and persons holding refugee status in the Republic of Armenia — shall have the right to social assistance in case of existence of the grounds prescribed by law. That is to say, foreign citizens residing in the Republic of Armenia on legal grounds, when needing social assistance, in case of meeting the requirements defined by the Law of the Republic of Armenia "On social assistance", shall also enjoy equal rights which are enjoyed by citizens of the Republic of Armenia. Moreover, in this case, the duration of residence in the Republic is not essential for enjoying the rights provided for by the above-mentioned Law.

The Law of the Republic of Armenia "On social assistance" prescribes also the main principles for providing social assistance, one of which is the prohibition of discrimination, that is, the ensuring of equal opportunities for providing social assistance, the exclusion of discriminatory treatment during the provision of social assistance, which is practically enforced unconditionally.

The Law of the Republic of Armenia "On social assistance" stipulates the provision of legal aid as a type of basic social service, which is the organisation of legal aid prescribed by law by a social service providing organisation and within the scope of its competence for the protection of the rights and legitimate interests of a person in a difficult life situation. The mentioned legal aid implies also the ensuring of the right of appeal.

As for medical assistance, it should be noted that since 2014, the beneficiaries with an indigence point of 30.01 and higher involved in the family benefit system, as beneficiaries included in the list of socially vulnerable and separate (special) groups of the population defined in Annex 1 to Decision of the Government of the Republic of Armenia N 318-N of

4 March 2004 “On medical care and services free of charge and on preferential terms guaranteed by the State”, enjoy the right to medical care free of charge and on preferential terms guaranteed by the State, including in-patient medical care and services, and since 2019, they also enjoy medical services provided by the use of the latest and expensive technologies defined by point 3 of Annex 5 to Decision N 318-N, as well as dental services defined by point 1 of Annex 8 to the same Decision.

According to Decision of the Government of the Republic of Armenia N 642-N of 30 May 2019, the beneficiaries with an indigence point of 30.01 and higher involved in the family benefit system are provided with medicines with full compensation of their value.

According to part 1 of Article 4 of the Law of the Republic of Armenia “On medical care and services of the population”, “everyone, regardless of nationality, race, sex, language, religion, age, health status, political or other views, social origin, property or other state, shall have the right to receive medical care and service in the Republic of Armenia”, and according to Article 23 of the same Law, foreign citizens and stateless persons in the Republic of Armenia shall have the right to receive medical care and service in accordance with the legislation of the Republic of Armenia, as well as international treaties of the Republic of Armenia.

According to Article 19 of the Law of the Republic of Armenia “On medical care and services of the population”, a person with a disease that poses a threat to environment shall have the right to receive medical care and service free of charge in a manner guaranteed by the State and get treatment in institutions providing medical care and service and having a relevant license envisaged for that purpose. The novel coronavirus infection (2019n-CoV) is included in the list of diseases posing a threat to environment approved by Decision of the Government of the Republic of Armenia N 1286.

According to Article 7 of the Law “On state pensions”, a foreign citizen or a stateless person shall have the right to pension and the right to receive a pension during the period of having the right to reside and during the period of residing in the Republic of Armenia. A foreign citizen without refugee status in the Republic of Armenia shall be entitled to a pension if

he/she does not receive a pension from the country the citizen whereof he/she is. A dual citizen of the Republic of Armenia shall be entitled to a pension during the period of being record-registered at the address of residence in the Republic of Armenia in the State Population Registry of the Republic of Armenia.

**Article 13.2.**

***Information with regard to the changes taken place during the reporting period and to the questions submitted by the Committee***

Beneficiaries of social assistance are not subject to any discrimination when exercising social and political rights. When exercising social and political rights, provisions stipulating the principle of equality and prohibiting discrimination are practically interpreted in such a way as to prevent discrimination on the ground of receiving social or medical assistance. The basic principles for providing social assistance prescribed by the Law of the Republic of Armenia “On social assistance”, including the prohibition of discrimination, that is, the ensuring of equal opportunities for the provision of social assistance, the exclusion of discriminatory treatment during the provision of social assistance, are practically enforced unconditionally.

**Article 14. The right to benefit from  
social welfare services**

**Article 14.2.**

***Information with regard to the changes taken place during the reporting period and to the questions submitted by the Committee***

The concepts and relations of key importance for the integrated social services system have been defined by the Law of the Republic of Armenia “On social assistance”, which entered into force since 1 January 2015.

In order to facilitate the development of cooperation between the bodies operating at different levels of state government in the organisation of social assistance provided to groups of population in a difficult life situation, local self-government bodies, as well as the state and non-governmental structures, a separate chapter has been allocated for the social cooperation within the scope of integrated social services system in the Law of the Republic of Armenia “On social assistance”. In particular:

- 1) the supporting network or the parties to the social cooperation agreement shall be declared a full component or a part of the integrated social services system (Article 33);
- 2) the issues related to the cooperation between the Authorised State Body (Ministry of Labour and Social Affairs of the Republic of Armenia), state bodies of territorial administration, local self-government bodies, territorial bodies and organisations have been regulated (Article 34);
- 3) the structure, objectives, conditions of acceptance, parties, mechanisms of cooperation of social cooperation agreements between both interagency and state and non-state sector structures at national and territorial levels have been defined (Articles 35-36);
- 4) the objectives of local social programmes developed for the purpose of social cooperation, the principles of participation of non-governmental structures in the development, implementation, financing thereof, etc., have been defined.

After the adoption of the Law of the Republic of Armenia “On social assistance”, a number of decisions of the Government of the Republic of Armenia ensuring the implementation of the Law have been adopted, which defined the strategic directions and forms of social cooperation within the scope of integrated social services system, the rules of the interagency social cooperation, competencies of bodies of different levels operating in the field of social assistance, procedures for providing social services and for certification, the procedure and conditions for organising training courses on computer programmes used in the process of providing social services and for issuing certificates attesting the abilities to work with them, etc.

The text of the social cooperation agreement at the national level, the appointment of a responsible person and the organisation of activities conditioned by the approval of the social cooperation agreement at the national level were defined by Order of the Minister of Labour and Social Affairs of the Republic of Armenia N 151-A/1 of 29 October 2015.

The standard form of the social cooperation agreement at the territorial level, the procedure for approving the social cooperation agreement at the territorial level, the standard rules of procedure of the coordinating council established in accordance to the social cooperation agreement concluded at the territorial level were defined by Order of the Minister of Labour and Social Affairs of the Republic of Armenia No 25-N of 11 February 2016.

For the purpose of deepening the relations of social cooperation, the Ministry of Labour and Social Affairs of the Republic of Armenia, during 2015-2020, signed a number of agreements and memoranda of understanding with various state, local self-government bodies and non-governmental organisations within the framework of activities of introduction of the integrated social services system.

In 2015-2019, nine regional centres of complex social services were launched, bringing the number of operating regional centres of complex social services to 27. The construction and renovation works of six more regional centres of complex social services were launched in 2019 and are in the process of implementation. By the end of 2020, the construction and renovation works of nine regional centres of complex social services will be completed. In 2020-2021, it is envisaged to launch the construction and renovation works of the remaining 14 regional centres of complex social services.

During 2019-2020, other important activities for the introduction of the integrated social services system were initiated, in particular,

- Development and introduction of a unified information system for electronic social services. This system will enable the exchange of information with the necessary external information databases, as a result of which structures providing social services (including non-governmental and voluntary organisations cooperating with the integrated social services system) can obtain and check all the necessary

information on beneficiaries online, minimizing the submission of additional information by the beneficiaries for receipt of services;

- Trainings for the employees of the territorial bodies of social assistance targeted at launching the information subsystem of social case management;
- Studies on the needs of primary beneficiaries of pilot programmes implemented in the field of social protection and their opinions on those programmes, development of proposals aimed at the introduction of a system for collecting information necessary for the monitoring and evaluation system, etc.

Decision of the Government of the Republic of Armenia N 1078-N of 10 September 2015 prescribed that since 1 January 2017, organisations providing social services that are not under the subordination of state or local self-government bodies may be included in the programmes implemented with the state support and (or) participate in the programmes implemented in the social sphere within the framework of cooperation with the state administration body authorised by the Government of the Republic of Armenia in the field of social assistance only in case of certification of the activity of providing the given social service by the state administration body authorised by the Government of the Republic of Armenia in the field of social assistance, in the manner prescribed by the decision of the Government of the Republic of Armenia mentioned in part 3 of Article 6 of the Law of the Republic of Armenia “On social assistance”.

In this regard, more than 100 tenders were held to provide various types of services to children, the elderly, persons with disabilities and victims of domestic violence or trafficking. During 2017-2019, 31 non-governmental organisations received 47 certificates for activities of providing social services.



## Answers to the questions presented in the Annex

### Article 3. The right to safe and healthy working conditions

*With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake to consult with the Confederation of Trade Unions of Armenia and the Republican Union of Employers of Armenia on the following:*

On 5 October 2020, the Government of the Republic of Armenia, the Confederation of Trade Unions of Armenia and the Republican Union of Employers of Armenia signed a new Republican Collective Agreement for a period of three years.

Section 1 of the new Republican Collective Agreement provides for provisions regarding the safety and health care of employees. In particular, it is prescribed:

- to develop appropriate proposals for the purpose of increasing the role of the trade union in the processes of ensuring the safety and health care of employees, as well as that of the economic interest and responsibility of employers;
- to support the improvement of the legal framework on health care and ensuring of safety of employees;
- to support the introduction of modern systems for monitoring of working conditions and the effective application thereof;
- to discuss — each year, with the Health and Labour Inspectorate — the process of implementing the legislation on health care and ensuring of safety of employees and supervising [the implementation] thereof, promote the dissemination of best examples and, where necessary, develop appropriate recommendations;
- to support the organisations in fulfilling the requirements of the legislation on health care and ensuring of safety of employees;

- to support the organisations in establishing commissions on ensuring the safety and health care of employees;
- to develop proposals on the establishment of a unified procedure for the investigation and record-registration of accidents taken place at the workplace;
- to develop proposals for introduction of an effective risk assessment system for compulsory insurance against accidents and occupational diseases in production and for preventing accidents;
- to develop proposals on work capacity building, including the establishment and improvement of mechanisms promoting the capacity for work.

At the same time, it is stipulated that the Republican Union of Employers of Armenia and the Confederation of Trade Unions of Armenia undertake to support the development of the policy aimed at labour protection and the appropriate procedures in organisations and to ensure the introduction thereof, using, for that purpose, the experience of their specialists and the literature published in this field.

1. *To establish, implement and periodically review a coherent national policy on safe and healthy conditions at the workplace and the working environment. The primary goal of this policy shall be to improve safety and health at the workplace and to prevent accidents and damage caused to health, as well as injury caused to health arising out of or occurring in the course of work, particularly by minimising the causes of hazards inherent to the working environment;*
  - a) *Please provide information about policy establishing processes and practical arrangements made to identify new or emerging situations, that present a challenge to the right to safe and healthy working conditions; also provide information on the results of such processes and on future developments envisaged.*

For the purpose of solving — as much as possible — the problems arisen in labour relations

caused by the coronavirus pandemic, the following amendments have been made to the Labour Code of the Republic of Armenia:

- the concept of work performed in a remote mode has been defined;
- not to consider the employees in idleness and keep the salary in full, in case of possibility of organising the work in a remote mode;
- not to consider the organisation of work in a remote mode and the change of work and rest regime as a change in significant terms of the employment contract, which will allow employers to be more flexible and not to notify about these changes in advance;
- to consider the temporary restriction of the rights and freedoms of natural and legal persons — in case whereof it is impossible to perform work duties — as force majeure prescribed by part 6 of Article 186 of the Labour Code of the Republic of Armenia, due to the state of emergency defined by law;
- a mandatory requirement has been established for the employer to provide the employee with his/her unused vacation at the request of the latter in cases when the employee has unused vacation, and it is not possible to continue the work during the state of emergency;
- prohibition on rescission of employment contract or application of a disciplinary penalty upon the initiative of the employer during the state of emergency has been established in cases when the employee did not appear to work or appeared to work for an incomplete working day due to the state of emergency;
- to pay at least in accordance with the time actually worked or the actual work done where the employee did not appear to work or appeared to work for an incomplete working day due to the state of emergency;
- prohibition on rescission of employment contract or application of a disciplinary penalty upon the initiative of the employer has been established also in cases when the employee did not appear to work or appeared to work for an incomplete working day — for the purpose of

organising the care of a child up to 14 years old — during the period of unplanned transfer or unplanned provision of vacations envisaged for educational (including pre-school) institutions;

- to pay in full for the purpose of organising the care of a child up to 14 years old during the period of unplanned transfer or unplanned provision of vacations envisaged for educational (including pre-school) institutions, where the absence during the working day does not exceed two hours, and in case the absence exceeds two hours or the employee does not appear to work the whole day, to pay at least in accordance with the time actually worked or the actual work done;
- it has been established that in case of work performed for the defence of the state, as well as for prevention of natural disasters, technological accidents, epidemics, accidents, fires and other cases of emergency or for elimination of the consequences thereof, the overtime work for two consecutive days may be up to 8 hours instead of the current 4 hours;
- it has been established that in case of existence of information received from state or local self-government bodies on complaints received from individuals or on offences during the state of emergency, the authorised inspection body of the field carries out state supervision over the fulfilment of requirements of the labour legislation, other regulatory legal acts containing labour law norms, requirements of collective agreements and employment contracts by the employers, imposing sanctions in cases prescribed by law.

Due to the cases of spread of the novel coronavirus disease (COVID-19) in the Republic of Armenia, and taking into account the fact that this infection has been declared a pandemic by the World Health Organisation since 13 March 2020, a state of emergency was declared in the Republic of Armenia since 16 March 2020 by Decision of the Government of the Republic of Armenia No 298-N of 16 March 2020 “On declaring a state of emergency in the Republic of Armenia”.

On the first day of the state of emergency, 16 March 2020, the Minister of Health of the Republic of Armenia approved by Order N 977-A the methodological guidelines for the

implementation of disinfection measures for the infection centres, public catering facilities, higher education institutions, pre-school and general education institutions, passenger transport vehicles, as well as "Methodological guidelines for the rational use of personal protective equipment."

At the same time, the guidelines "On observance of sanitary-epidemiological rules in organisations, potential hazards in case of violation thereof and organisation of work" was approved by Instruction of the Commandant of the Republic of Armenia No Ts/17-2020 of 20 March 2020, thereby rules were established to prevent the spread of the novel coronavirus disease (COVID-19) and to ensure for the employees safe conditions harmless for health.

"Rules aimed at preventing the spread of the novel coronavirus disease (COVID-19) in organizations" were established also by Annex No 3 to Decision of the Commandant of the Republic of Armenia No 27 of 31 March 2020 "On restrictions applicable in the whole territory of the Republic of Armenia due to the legal regime of the state of emergency"; moreover, according to the same Decision, it was allowed to engage in the types of economic activity not prohibited upon the condition of observing the "Rules aimed at preventing the spread of the novel coronavirus disease (COVID-19) in organizations" (the Decision was in force from 1 April 2020 to 3 May 2020).

The safety rules established by Instruction of the Commandant of the Republic of Armenia No Ts/17-2020 of 20 March 2020, as well as by Decision of the Commandant of the Republic of Armenia No 27 of 31 March 2020 were applied to all organisations authorised to carry out economic activity, regardless of the specifics of the economic activity.

Decision of the Commandant of the Republic of Armenia No 27 of 31 March 2020 was repealed by Decision of the Commandant of the Republic of Armenia N 63 of 3 May 2020 "On temporary restrictions applied in the whole territory of the Republic of Armenia", and safety rules were established for almost all types of economic activity, depending on the specifics of the economic activity.

In particular, for the purpose of preventing the spread of the coronavirus disease (COVID-19), safety rules have been established for trading venues, wholesale and retail shopping facilities, and customer service facilities in the service sector by Annex No 6 to Decision N 63 "On temporary restrictions applied in the whole territory of the Republic of Armenia"; safety rules have been established for organisations carrying out medical assistance and service, including organisations providing primary health care and dental services by Annex No 9; and safety rules have been established for long term care facilities by Annex No 15, etc.

According to the types of economic activity, rules for organising the work, requirements for disinfection of the work area are established; it is stipulated that not only employees but also customers should always wear masks.

The healthcare workers providing immediate care to patients in organisations carrying out medical assistance and service, in addition to medical masks, should wear other personal protective equipment, that is, an overall, gloves, medical mask and eye protection (glasses or face shield), and the healthcare workers of long term care facilities — goggles, waterproof long overall or, if the overall is not waterproof, a waterproof apron.

For the purpose of ensuring the fulfilment of the mandatory requirements established by Instruction of the Commandant of the Republic of Armenia No Ts/17-2020 of 20 March 2020, as well as by Decisions of the Commandant of the Republic of Armenia No 27 of 31 March 2020 and No 63 of 3 June 2020, the Health and Labour Inspectorate of the Republic of Armenia has continuously conducted and conducts awareness raising and monitoring. In case of recording more risky violations from the point of view of spreading the infection, the operation of economic entities was temporarily suspended (restricted) by the decision of the Commandant of the Republic of Armenia. Monitoring, as well as awareness-raising activities carried out in economic entities promote the increase of awareness of economic entities and employees, provide an opportunity to assess and manage the risks from the point of view of preventing the coronavirus disease. This is attested by double visits carried out in economic entities for the purpose of monitoring.

b) *With particular reference to COVID-19, provide specific information on the protection of frontline workers (healthcare workers, including ambulance crews and auxiliary staff; police and other first responders; police and military personnel involved in assistance and enforcement; staff in social care facilities, for example for the elderly or children; prison and other custodial staff; mortuary services; and others involved in main services, including transport and retail; etc.). Such information should include details of instructions and training, and also the quantity and adequacy of personal protective equipment provided to workers in different contexts. Please provide analytical information about the effectiveness of those measures of protection and statistical data on health outcomes.*

The Health and Labour Inspectorate of the Republic of Armenia, after the amendments and supplements made to the Labour Code of the Republic of Armenia and the Code of the Republic of Armenia “On administrative offences” on 29 April 2020 and after the entry into force of Decision of the Prime Minister of the Republic of Armenia No 768-L of 3 July 2020 “On making amendments and supplements to the Charter of the Health and Labour Inspectorate of the Republic of Armenia” approved by Decision of the Prime Minister of the Republic of Armenia No 755-L of 11 June 2018, received 51 complaints regarding violation by the employers of the requirements of the labour legislation, other regulatory legal acts containing labour law norms, requirements of collective agreements and employment contracts.

Administrative proceedings were instituted in the Health and Labour Inspectorate of the Republic of Armenia based on the complaints, as a result of the administrative proceedings the economic entities, represented by the heads of the organisation, were given mandatory executive orders, and administrative sanctions were imposed.

At the same time, it should be noted that the assessment of the impact of measures that have been carried out and that are still being carried out for the purpose of overcoming the epidemic will be possible to make after the end of the epidemic.

Within the framework of fight against the coronavirus disease, the Ministry of Health of the Republic of Armenia has carried out the following activities:

1. A number of medical organisations of the Republic of Armenia have taken inventory

of the set of (COVID-19) suppression/management measures, as well as inventory of personal protection equipment.

2. A number of hotels, with the support of the National Council for Infection Control, have been readjusted as medical organisations focused on infectious diseases to provide appropriate medical care and service to (COVID-19) infected persons and their contactees.
3. Methodological and practical assistance has been provided to medical organisations restructured as medical organisations for infectious disease — online training courses were held for persons responsible for the infection control at such organisations.
4. A number of organisations providing medical care and services have conducted epidemiological monitoring of capacities for control of the infection (in case of large flows) to prevent the nosocomial spread of the coronavirus disease (COVID-19) according to the survey instrument of the World Health Organisation, on site — provision of methodological and practical assistance, instruction of the personnel.
5. The protection of the medical personnel has been assessed in the medical organisations providing treatment to confirmed (COVID-19) patients.
6. All primary care providers of the Republic of Armenia, with the support of the National Health Institute, have been instructed on the topics of provision of care to patients with mild disease at home and safety of the medical personnel, in particular:
  - courses on the novel coronavirus infection, its prevention and control, methods of sampling have been organised for all medical workers (physicians, junior and medium-level personnel) and administrative employees of all marzes and the capital;
  - a series of narrow-focused international webinars on the novel coronavirus infection have been organised;
  - a series of narrow-focused local webinars dedicated to the novel coronavirus



infection has been organised.

7. The Ministry of Health of the Republic of Armenia and the Ministry of Labour and Social Affairs of the Republic of Armenia have cooperated to ensure the safety of medical personnel of orphanages and nursing homes.
8. Cooperation with persons responsible for the infection control at medical organisations has regularly been carried out, ensuring feedback.
9. Legal acts have been drafted, guidelines of the World Health Organisation has been localised. A series of documents drafted and applied taking into consideration the epidemiological situation of the coronavirus disease are presented below, in particular:
  1. Decisions of the Commandant of the Republic of Armenia (No 63-N of 3 May 2020 and No 110-N of 3 June 2020):
    - (1) safety rules for preventing the spread of the coronavirus disease (COVID-19) while carrying out economic activities in the closed production area;
    - (2) safety rules for preventing the spread of the coronavirus disease (COVID-19) while carrying out economic activities in offices;
    - (3) safety rules for preventing the spread of the coronavirus disease (COVID-19) while organising works at construction sites;
    - (4) safety rules for preventing the spread of the coronavirus disease (COVID-19) in trading places, wholesale and retail facilities, customer service facilities in the service sector;
    - (5) safety rules for preventing the spread of the coronavirus disease (COVID-19) in public catering facilities;
    - (6) safety rules for preventing the nosocomial infection with the coronavirus disease (COVID-19) in organisations providing medical care and services, including

- organisations providing primary care and dental services;
- (7) safety rules for preventing the spread of the coronavirus disease (COVID-19) in the field of activities of fitness facilities;
  - (8) safety rules for preventing the spread of the coronavirus disease (COVID-19) while organising other services of barber shops and beauty salons;
  - (9) safety rules for preventing the spread of the coronavirus disease (COVID-19) in companies of mining industry and exploitation of open pits;
  - (10) safety rules for preventing the spread of the coronavirus disease (COVID-19) in organisations in the field of primary education;
  - (11) safety rules for preventing the spread of the coronavirus disease (COVID-19) in the field of operation of ground passenger transportation;
  - (12) general safety rules for preventing the spread of the coronavirus disease (COVID-19) for the remaining types of economic activities not regulated by Annexes No 2-13;
  - (13) information sheet on preventing the spread of the coronavirus disease (COVID-19).
2. According to the epidemic development phases, the World Health Organisation has drawn up and implemented 2 plans:
- (1) “Emergency response plan for the imported case/cases of the coronavirus disease (COVID-19) at the country level”;
  - (2) “Emergency response plan for the secondary case (cluster cases) of the imported cases of the coronavirus disease (COVID-19) at the country level”.
3. Methodological guidelines:
- (1) Order No 336-A of 31 January 2020 “On (provisionally) approving the methodological guidelines for epidemiological monitoring of the cases

conditioned by the novel coronavirus infection (2019-n-cov) in the Republic of Armenia, epidemiological characterisation of the cases, laboratory tests and sampling, home care for patients with mild symptoms and medical monitoring of contactees, clinical management of the patient, prevention of the nosocomial spread of the infection and the set of measures for suppression/management of the novel coronavirus infection ” (a series of amendments have been made which are stipulated in the orders of the Minister of Health of the Republic of Armenia);

- (2) Order No 1239-A of 10 April 2020 “On approving the list of medical organisations carrying out the process of classification of patients with the novel coronavirus disease (COVID-19) according to the degree of severity of the disease, monitoring of the patients with the novel coronavirus disease (COVID-19), providing medical care and services, and the minimum volumes of laboratory and instrumental diagnostic tests made by organisations providing medical care and services” (a series of amendments have been made which are stipulated in the orders of the Minister of Health of the Republic of Armenia);
- (3) Order No 1606-A of 21 May 2020 “Procedure for organising the outpatient medical care and services for patients with the coronavirus disease”;
- (4) Order No 1239-A of 10 April 2020 “On approving the list of medical organisations carrying out the process of classification of patients with the novel coronavirus disease (COVID-19) according to the degree of severity of the disease, monitoring of patients with the novel coronavirus disease (COVID-19), providing medical care and services, and the minimum volumes of laboratory and instrumental diagnostic tests made by organisations providing medical care and services” (a series of amendments have been made which are stipulated in the orders of the Minister of Health of the Republic of Armenia);
- (5) Order No 1090-A of 25 March 2020 “On (provisionally) approving the principles

of treatment of the novel coronavirus disease (COVID-19)” (a series of amendments have been made which are stipulated in the orders of the Minister of Health of the Republic of Armenia);

- (6) Order No 1350-A of 27 April 2020 “On conducting epidemiological monitoring of the capacities for control of the infection (in case of large flows) to prevent the nosocomial spread of the coronavirus disease (COVID-19) in organisations of the Republic of Armenia providing medical care and services”;
- (7) Order No 2014-A of 25 June 2020 “On conducting monitoring of activities performed in order to eliminate the gaps identified in organisations of the Republic of Armenia providing medical care and services following the implementation of Order of the Minister of Health No 1350-A of 27 April 2020”.

Conditioned by the novel coronavirus (COVID-19) pandemic, all the necessary anti-epidemiological measures have been organised and implemented in the Armed Forces of the Republic of Armenia to prevent the penetration and spread among the staff members. Relevant orders and directives clearly prescribe the functional duties of all officials in epidemiological situation, as well as there are medical personnel with necessary training, medication, supplies (protective equipment, disinfectants, etc.) and medical institutions available to organise the early detection of patients with the novel coronavirus infection, examinations (testing), diagnosis, isolation and treatment.

A series of measures have been implemented by “Penitentiary Medical Centre” SNCO to protect the life and health of persons in the penitentiary institutions of the Ministry of Justice of the Republic of Armenia, as well as to prevent the spread of and eliminate the COVID-19 pandemic.

Personal protection equipment (outwear, medical masks, FSP2 and FSP3 respirators, gloves, plastic protective face masks), sanitary-hygienic materials and disinfectants (for disinfecting hands and surfaces, as well as cleansing), electronic and mercury

thermometers have been provided to the subdivisions of “Penitentiary Medical Centre” SNCO located in the penitentiary institutions to prevent persons deprived of liberty and held at penitentiary institutions, as well as medical personnel from COVID-19 infection and provide proper medical care.

The above-mentioned protection equipment and medical supplies have been distributed and upon necessity are distributed to all subdivisions of “Penitentiary Medical Centre” SNCO located in the penitentiary institutions of the Ministry of Justice of the Republic of Armenia.

It should also be mentioned that “Statement of principles relating to the treatment of persons deprived of their liberty in the context of the coronavirus disease” adopted and published by the Council of Europe’s Committee for the Prevention of Torture (translated in Armenian) has been provided to subdivisions and institutions of the Central Body of the Penitentiary Service, as well as newsletters on prevention of the coronavirus and protection from the infection translated by the International Committee of the Red Cross in Armenia into different languages have been provided to penitentiary institutions, which have been posted in accessible places.

It should also be mentioned that all the subdivisions of “Penitentiary Medical Centre” SNCO located in the penitentiary institutions of the Ministry of Justice of the Republic of Armenia are replenished with necessary medical supplies and materials with the support of state and international partners.

At the same time, a series of remote courses for protection from COVID-19 pandemic have been organised for all the staff of “Penitentiary Medical Centre” SNCO to improve the knowledge and skills of the medical workers in relation to COVID-19 pandemic.

Adequate working conditions prescribed by the orders and instructions of the Commandant of the Republic of Armenia in the context of COVID-19 have been ensured for and necessary protection equipment has been provided to officers of the Compulsory Enforcement Service, and the staff has always been instructed regarding the orders and instructions of the Commandant of the Republic of Armenia.

The wide spread of COVID-19 infection among the staff members of the Compulsory Enforcement Service is prevented due to strict observance of the working rules prescribed by the decisions and instructions of the Commandant of the Republic of Armenia. Disposable gloves and medical masks, as well as disinfectants are constantly provided to officers.

Officers of the Police of the Republic of Armenia are engaged on daily basis in the process of ensuring the legal regime of the state of emergency. They are provided with protection equipment and disinfectants of sufficient quantity. For the purpose of prevention of the pandemic methodological instructions have been given to officers; consultative posters and guidelines have been draw up.

The Centre for Anti-Epidemic Control of the Medical Department of the Police of the Republic of Armenia has drawn up a plan for organisation of activities for the prevention of the novel coronavirus pandemic, operational headquarters and professional rapid response teams have been established. An isolation ward has been established in the polyclinic of the Medical Department with a view to examining the patients having temperature; in addition, epidemiological surveys have been carried out in all those subdivisions to organise the activities of self-isolation among the contactees (measuring the temperature for 14 days).

The observance of the rules for preventive measures is placed under control — wearing masks, disinfecting hands, social distancing, full-fledged organisation of disinfection activities, etc.

In the context of the novel coronavirus disease the facilities in charge of care and protection of children operating under the subordination of the Ministry of Labour and Social Affairs of the Republic of Armenia, conditioned by the state of emergency declared by Decision of the Government of the Republic of Armenia No 298-N of 16 March 2020, have switched over to the regime of closed operation to prevent the spread of the infection (COVID-19).

Daily sanitation schedule is in place in the facilities, alcohol-based sanitizers are placed at the entrance, concurrent disinfection is carried out twice a day, the temperature of

employees is mandatorily measured, and they are tested upon necessity.

Personal protection equipment has been provided to all the employees upon entry into the workplace — medical mask, gloves, disinfectants. The employees more vulnerable to the novel coronavirus disease (over 60 years, having disability and chronic diseases) are in the forced idleness, by reserving their right to receive salary as prescribed by the legislation.

During the pandemic the entry of the children into care facilities is allowed only upon the test results, and the contact with the families is ensured remotely — by video calls and phone calls.

For the reasons of safety of employees providing primary services, protective masks, gloves and alcohol-based sanitizers have been provided also to non-governmental organisations providing services in the child-related area within the scope of powers delegated by the State. During the COVID-19 pandemic the monitoring of and supervision over the facilities have been carried out in the form of regular reports, awareness-raising activities, video conferences.

All-day care facilities for social protection of elderly, day centres for social care, established by non-state organisations, operate under the subordination of the Ministry of Labour and Social Affairs of the Republic of Armenia, as well as on the basis of grant contracts concluded with the Ministry; home care services are also provided. Around 6 000 people use all the mentioned services.

Activities have been carried out in the facilities of care for elderly from the very first day of the pandemic, epidemiological plans have been drawn up, activities of testing beneficiaries and employees have been organised upon necessity, isolation wards have been established.

Upon the instruction of the Ministry, the facilities have switched over to the regime of closed operation, by preventing the spread of the pandemic.

The epidemic-prevention rules and sanitation and hygiene rules are observed in all facilities (temperature measurement, hand disinfection, isolation of suspected cases, etc.). Sick

persons are immediately hospitalised and if sick persons have mild symptoms or no symptoms, they are isolated in the very facility. The necessary medical care, medication, disinfectants are provided to the elderly free of charge.

Despite the epidemiological situation, the facilities operate and services are provided as usual.

*c) If the previous conclusion was one of non-conformity, please explain whether and how the problem has been remedied.*

Irrespective of regulations in force in relation to the state supervision over the fulfilment of the requirements of the labour legislation, starting from 1 July 2021 complete state supervision will be exercised over the fulfilment of the requirements of the labour legislation, which shall ensure the right to safe working conditions harmless for health.

On 4 December 2019, the legal grounds for extending the scope of state supervision over the fulfilment of the requirements of the labour legislation were adopted — Law No 265-N of 4 December 2019 “On making amendments to the Labour Code of the Republic of Armenia” and Law No 266-N “On making supplement and amendments to the Code of the Republic of Armenia on Administrative Offences”.

Pursuant to the above-mentioned Laws, in addition to the supervision over the regulations related to ensuring of health care and safety of employees and supervision over the guarantees prescribed by the labour legislation for persons under 18, as well as pregnant or breast-feeding women and employees taking care of a child, the Health and Labour Inspectorate, starting from 1 July 2021, exercise supervision also over the fulfilment of other requirements of the labour legislation, other regulatory legal acts containing norms of labour law, requirements of collective agreements and employment contracts, as well as it will impose sanctions in cases provided for by law.

Thus, along with the effective judicial system for the protection of employment rights of employees, the introduction of effective system of supervision over the fulfilment of the requirements of the labour legislation is also envisaged in the country starting from 1 July



2021, which will indirectly contribute to the reduction, as well as prevention of cases of violation of rights of employees.

It should also be mentioned that conditioned by the coronavirus pandemic, the Law “On making supplements and amendments to the Labour Code of the Republic of Armenia” (Law HO-236-N which entered into force on 8 May 2020) was adopted on 29 April 2020, which supplemented the Labour Code of the Republic of Armenia with new Article 33.1. The mentioned Article prescribes that in case there are written applications received in the period of prevention or elimination of the consequences of natural disasters, technological accidents, epidemics, accidents, fires and other cases of emergency, the authorised inspection body of the sector shall exercise state supervision over the fulfilment by the employer of the requirements of the labour legislation, other regulatory legal acts containing norms of labour law, collective agreements and employment contracts, by imposing sanctions in cases provided for by law. The mentioned inspection body is the Health and Labour Inspectorate.

Article 33.1 of the Labour Code of the Republic of Armenia will be in force until 1 July 2021.

## **Article 12 — The right to social security**

*With a view to ensuring the effective exercise of the right to social security, the Parties undertake:*

- 1. to establish and maintain a system of social security;*

*For conclusions of non-conformity, please explain whether and how the problem has been remedied.*

The Committee has not recorded a case of non-conformity in relation to the effective exercise of the right to social security.

- 3. to endeavour to raise progressively the system of social security to a higher level;*

a) *Please provide information on social security coverage and its modalities provided to persons employed or whose work is managed through digital platforms (e.g. cycle delivery services).*

b) *If the previous conclusion was deferred, please reply to the questions raised.*

In the Republic of Armenia the social insurance system is not introduced, the social security scheme is in place.

c) *Please provide information on any impact of the COVID-19 crisis on social security coverage and on any specific measures taken to compensate or alleviate possible negative impact.*

In the field of social security, the Government of the Republic of Armenia is implementing 11 actions to eliminate the consequences of coronavirus (four, six, seven, eight, nine, eleven, twelve, thirteen, sixteen, twenty and twenty-two). As of 15 September 2020, around 2,136,943 persons have received assistance within the framework of those actions (the amount of the assistance — AMD 25,336,379,770):

- Beneficiary of Action 4 is the family having a child under 14 where one parent has been dismissed from work within the period from 13 March 2020 to 25 March 2020 (inclusive), and the other parent is unemployed (as of 15 September 2020 — 2,114 beneficiaries, the total amount of assistance — AMD 211,400,000);
- Beneficiary of Action 6 is the person in employment relations with an employer of the private sector (except for financial organisations) at least starting from 1 January 2020, but dismissed from work within the period from 13 March 2020 to 30 March 2020 (as of 15 September 2020 — 8,112 beneficiaries, the total amount of assistance — AMD 551,616,000);
- Beneficiary of Action 7 is the unemployed pregnant woman, where the husband is unemployed or the woman does not have a husband (as of 15 September 2020 — 9,771 beneficiaries, the total amount of assistance — AMD 977,100,000);
- Beneficiary of Action 8 is the hired workers of the economic entity of the affected areas and the individual entrepreneur carrying out activities in that area (as of 15 September 2020, 302,724 beneficiaries have applied, the total amount of assistance — AMD 9,080,399,400);
- Beneficiary of Action 9 is the family having a child under 18, where the parents are unemployed, or one parent is in the leave for taking care of a child (as of 15 September 2020, 1,517,439 beneficiaries have applied, the total amount of assistance — AMD 5,146,512,000);
- Beneficiary of Action 11 is the family, the volumes of consumption of electricity and

- natural gas of which do not exceed the limits envisaged (as of 15 September 2020 — 450,827 beneficiaries, the total amount of assistance — AMD 786,219,300);
- Beneficiary of Action 12 is the family not consuming electricity and natural gas above the limits envisaged (as of 15 September 2020 — 486,434 beneficiaries, the total amount of assistance — AMD 1,842,928,700);
  - Beneficiary of Action 13 is the family receiving family (social) benefit (as of 15 September 2020 — 86,718 beneficiaries, the total amount of assistance — AMD 1,221,308,000);
  - Beneficiary of Action 16 is the resident subscribers having concluded a contract for natural gas supply and electricity supply, the consumption whereof in February 2020 does not exceed the limits envisaged (as of 15 September 2020 — 714,524 beneficiaries, the total amount of assistance — AMD 2,145,656,400);
  - Beneficiary of Action 20 is the hired worker, the employee under the civil law agreement, the individual entrepreneur of the affected area of the private sector, moreover:
    - (1) hired workers, regardless of the fact whether the employer calculates the salary, where they have been in employment relations with the employer of the affected area at least one day within the period from 1 March 2020 to 15 June 2020, including where the employer has been liquidated or has terminated the activities as of 15 June 2020;
    - (2) employees under the civil law contract, regardless of the fact whether the employer calculates the income, where they have been in civil law relations with the employer of the affected area at least one day within the period from 1 March 2020 to 15 June 2020, including where the employer has been liquidated or has terminated the activities as of 15 June 2020;
    - (3) individual entrepreneurs, where in 2020 they have carried out activities in the affected area, regardless of the amount of the sales turnover in the 1<sup>st</sup> quarter of 2020 (as of 15 September 2020 — 79,357 beneficiaries, the total amount of

assistance — AMD 3,040,176,000);

- Beneficiary of Action 22 is the natural persons considered to be citizen of the Republic of Armenia, who, based on the employment agreement or on the individual legal act on hiring, has been in employment relations with the employer for at least 85 days within the period from 1 January 2020 to 30 March 2020 and has not taken another job within that same period (as of 15 September 2020 — 18,663 beneficiaries, the total amount of assistance — AMD 333,064,000).

### **Article 13 — The right to social and medical assistance**

*With a view to ensuring the effective exercise of the right to social and medical assistance, the Parties undertake:*

1. *to ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition;*
  - a) *Please describe any reforms to the general legal framework. Please provide pertinent figures, statistics or any other relevant information, in particular: evidence that the level of social assistance is adequate, i.e. the assistance should enable any person to meet his/her basic needs and the level of the benefits should not fall below the poverty threshold. Information must therefore be provided on basic benefits, additional benefits and on the poverty threshold in the country, defined as 50% of the median equivalised income and calculated on the basis of the poverty risk threshold value published by Eurostat.*

The information is presented in the Report.

- b) *Please indicate any specific measures taken to ensure social and medical assistance for persons without resources in the context of a pandemic such as the COVID-19 crisis. Please also provide information on the extent and modalities in which social and*

*medical assistance was provided to people without a residence or other status allowing them to reside lawfully in your country's territory.*

The information on the measures implemented by the Government of the Republic of Armenia within the framework of actions to address the consequences of the coronavirus in the field of social security is presented under Article 12.

At the same time it should be mentioned that there is no distinction in relation to people without a residence status or with other status allowing them to reside lawfully in the country's territory. In other words, where the foreign citizens lawfully residing in the Republic of Armenia also need social assistance and comply with the requirements prescribed by the Law of the Republic of Armenia "On social assistance", they exercise the rights on an equal basis with the citizens of the Republic of Armenia. Moreover, in this case the duration of residence in the Republic has no significance for the exercise of rights provided for by the above-mentioned Law.

Pursuant to part 1 of Article 4 of the Law of the Republic of Armenia "On medical care and services for the population", "Everyone, regardless of nationality, race, sex, language, religion, age, health state, political and other views, social origin, property and other status, has the right to medical care and services in the Republic of Armenia", and pursuant to Article 23 of the same Law, foreign citizens, stateless persons in the Republic of Armenia have the right to medical care and services according to the legislation of the Republic of Armenia, as well as international agreements of the Republic of Armenia.

*c) If the previous conclusion was one of non-conformity, please explain whether and how the problem has been remedied. If the previous conclusion was deferred, please reply to the questions raised.*

The information is presented in the Report.

*2. to ensure that persons receiving such assistance shall not, for that reason, suffer from a diminution of their political or social rights.*

*No information requested, except where there was a conclusion of non-conformity or a deferral in the previous conclusion for your country. For conclusions of non-conformity,*

*please explain whether and how the problem has been remedied and for deferrals, please reply to the questions raised.*

The information is presented in the Report.

#### **Article 14 — The right to benefit from social welfare services**

*With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Parties undertake to encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.*

- a) Please provide information on user involvement in social services (“co-production”), in particular on how such involvement is ensured and promoted in legislation, in budget allocations and decision-making at all levels and in the design and practical realisation of services. Co-production is here understood as social services working together with persons who use the services on the basis of key principles, such as equality, diversity, access and reciprocity.*
- b) If the previous conclusion was deferred, please reply to the questions raised.*

In the provision of social services major importance is attached to the role of non-governmental organisations and user involvement in the services, appreciating the importance of increase in the effectiveness of the services owing to co-operation.

The Ministry of Labour and Social Affairs of the Republic of Armenia actively cooperates with non-governmental organisations addressing issues of persons with disabilities, the representatives whereof (including persons with disabilities) are involved in different commissions and working groups established by the order of the Minister of Labour and Social Affairs of the Republic of Armenia, and their professional skills make the programmes implemented in the field, services funded from the budget, as well as the legislation relating to the disability, policy, strategies more targeted and purpose-oriented.

The National Commission for Persons with Disabilities (Decision of the Prime Minister of the Republic of Armenia No 98-N of 25 February 2008) has an important role in the consideration and regulation of issues of persons with disabilities. Representative of state agencies and non-governmental organisations for persons with disabilities are included in the composition thereof by the equal participatory right. It is a useful platform for different agencies and organisations to carry out mutually agreed and coordinated activities. At the sittings of the National Commission issues concerning the enjoyment of rights of persons with disabilities (including relating to the provision of services) are considered with the participation of the representatives of state and self-government bodies, non-governmental organisations and mass media, and they are regulated through joint decisions and measures taken by different agencies and non-state institutions.

The composition of the National Commission has changed by Decision of the Prime Minister of the Republic of Armenia No 848-N of 28 June 2019. A mandatory requirement for the organisation to be one representing the persons with disabilities has been prescribed for the composition of the National Commission, except for the groups, the representation of which is impossible to ensure through organisations representing them due to lack of such groups. As a result, the composition of the National Assembly includes 10 representatives of agencies and 11 representatives of non-governmental organisations, including organisations managed by women with disabilities.

Persons with disabilities and non-governmental organisations representing their interests are included also in the composition of marz commissions and city commission of Yerevan for persons with disabilities, and participate in the process of drawing up the legislation, strategies, policies, and making decisions relating to disability.

In recent years the Ministry of Labour and Social Affairs of the Republic of Armenia has extended the delegation of services to non-governmental organisations through provision of grants. Namely, in 2020, 10 non-governmental have been successful in the grants competition and provide services of day care and social and rehabilitation services to persons with disabilities, as compared to 3 organisations in the previous years.

The Ministry of Labour and Social Affairs of the Republic of Armenia closely cooperates also



with the Elderly Protection Network, to which more than 10 organisations addressing the issues of elderly are members. The Elderly Protection Network has made a major contribution to the trainings of specialists and law-making activities.

Non-governmental organisations make enormous efforts in social inclusion of elderly, living their active and own life, making the voices of elderly heard and engaging them in the decision-making, which is promoted by the State and is in line with the programmes of the Government of the Republic of Armenia. The activities carried out by the “Armenian Red Cross” Organisation for establishing groups for healthy aging in the communities are noteworthy. These groups are joined by active elders (around 200 elderly) on voluntary basis, the voice whereof is heard when making community decisions, as well as at higher levels.

Organisations operating in the field of issues of elderly are always informed of reforms made, *i.e.* all the programmes and draft legal acts drawn up by the Ministry of Labour and Social Affairs of the Republic of Armenia are discussed with cooperating organisations, and the recommendations and comments thereof are taken into consideration. And the opinions and experience of non-governmental organisations are taken into consideration not only at the level of discussions, but also during the implementation of legal acts, for instance in 2020, the non-governmental organisations (members of the Elderly Protection Network) drafted the criteria for provision of care that are currently circulated.

In recent years, the delegation of services to non-governmental organisations has been extended through provision of grants. Namely, in 2020, 10 non-governmental organisations, as compared to 5 in the previous years, have been successful in the grants competition and today provide services to elderly. The services of all-day care, home care and day centres provided by 10 non-governmental organisations to elderly under the grant contract cover 5095 beneficiaries (by state organisations — 1420 beneficiaries). The process is ongoing, and it is envisaged to extend.

The recommendations of non-governmental organisations operating in the field of issues of children always become a subject of discussions on agenda, for instance proposals on

introducing a personal assistance in day care centres, introducing mechanisms for awareness-raising of guardianship, etc. In addition, when making reforms in the legal framework the opinions and recommendations of beneficiaries are collected through non-governmental organisations. For example, both the observations and recommendations made by the citizens to the Ministry of Labour and Social Affairs of the Republic of Armenia and those made by beneficiaries to organisations during the trainings or consultations are placed on the basis of reforms of the institutes of guardianship, adoption. Works for development of mechanisms for referral of children in difficult life situation at the time of emergency situations are currently underway with partner non-governmental organisations.

Starting from January 2020, non-governmental organisations implement the programme “Services for returning to family the children attended in facilities providing all-day care and protection in the Republic of Armenia and are in the group at risk to arrive in the facility, and for preventing the entry into facilities”, including the programme “Providing a package of in-kind assistance to families of children who are transferred to their biological families and whose entry into the facility has been prevented” in 10 marzes and in the city of Yerevan through delegation by the State, and within the framework of which the beneficiary children and their families are provided with services in line with the objectives of the programme (professional assistance, social assistance — food basket and compensation for electricity, in-kind package). Currently, around 554 children are provided with the service, against 389 children envisaged.

Attaching importance to the role of development of day care services both in preventing the risk for the child to receive alternative care and in strengthening families, the Ministry of Labour and Social Affairs of the Republic of Armenia, starting from 2020, has extended the coverage of day services, delegating the services in 30 large settlements to non-governmental organisations (around 23 organisations provide services starting from January). Organisations with powers delegated by the State envisage to provide services to 3 277 troubled children.

Partner non-governmental organisations also implement the programme “Social and psychological rehabilitation of victims of trafficking” through delegation of services. The beneficiaries that have become victims of trafficking are provided with a number of assistance prescribed by law, namely provision of safe shelter, in-kind assistance, provision or reissuance of necessary documents, support to receive medical care within the framework of state funding, psychological aid, counselling assistance, legal aid, provision of basic education, support in job placement, organisation of safe return, lump-sum monetary compensation. It should be mentioned that the Ministry of Labour and Social Affairs of the Republic of Armenia has doubled the budget of the programme “Social and psychological rehabilitation of victims of trafficking” for 2020.

For the purpose of ensuring the implementation of the Law of the Republic of Armenia “On prevention of violence within the family, protection of persons subjected to violence within the family and restoration of solidarity within the family” within the framework of reforms, the actions “Services of support centres for people subjected to violence within the family” and “Services of shelter for persons subjected to violence within the family” have been drawn up and adopted in 2019.

On 7 June 2019, a Memorandum of Understanding was signed between the Ministry of Labour and Social Affairs of the Republic of Armenia, Hayastan All Armenian Fund and “Women Support Center” NGO for the purpose of prevention of violence within the family and methodological support, within the framework of which comprehensive cooperation in providing quality support to persons subjected to violence within the family in marzes is envisaged. In May-June 2019, the Ministry of Labour and Social Affairs of the Republic of Armenia paid 10 marz visits, within the framework of which non-government organisations addressing the sectoral issues are mapped out, and later they, under the above-mentioned Memorandum of Understanding, were trained by “Women Support Center” NGO and enabled to participate in the tenders announced for providing “Services of support centres for persons subjected to violence within the family”.

As a result, since 2020, support centres for persons subjected to violence within the family operate in marzes within the framework of the mentioned programmes, where persons

subjected to violence within the family, in compliance with the requirements prescribed by law, are provided with the necessary services of social and psychological, legal counselling. The mentioned services are provided by non-governmental organisations, co-funded by the State Budget.