

FINAL REPORT

"Roundtable on the Prevention and Prohibition of Torture, Inhuman and Degrading Treatment in Armenia: Current Situation and Future Perspectives"

On July 13-14, 2001, in the context of the cooperation between the Government of the Republic of Armenia (RoA) and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the Ministry of Foreign Affairs of the RoA, the OSCE/ODIHR and the OSCE Office in Yerevan jointly organized a Roundtable on "The Prevention and Prohibition of Torture, Inhuman and Degrading Treatment in Armenia: Current Situation and Future Perspectives".

Officials from the National Assembly of the RoA, the Government of the RoA, the Ministry of Internal Affairs of the RoA, Ministry of Justice of the RoA, the Ministry of Foreign Affairs of the RoA and the Ministry of Defense of the RoA, General Prosecutor's Office, Military Police, members of international and non-governmental organizations participated in the Roundtable discussions and works.

Main items on the Roundtable's agenda were the following:

1. Prevention and eradication of torture processes under international conventions within the framework of various international organizations,
2. Activities of the UN Committee against Torture,
3. Armenia's commitments in the field of human rights protection in relation to the eradication of torture,
4. Preparation and presentation of the periodic report submitted by Armenia to the UN Committee against Torture under the International Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment,
5. Current problems and their possible solutions in the light of legal and judicial reforms in Armenia aimed at the prevention and eradication of torture,
6. European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment,
7. The role of human rights defending NGOs in the prevention and proper investigation of cases of torture.

One of the main purposes of the Roundtable was to discuss the measures necessary to ensure the prevention and eradication of torture in Armenia and the means of their implementation.

During the discussions it was mentioned that unfortunately there are still cases of torture and degrading treatment in Armenia. At the same time it was highlighted, that some work has been already accomplished in the direction of preventing and prohibiting torture, inhuman and degrading treatment in Armenia, namely in the field of improving legislation of the RoA. However, the work is not finished yet, and it is important to initiate close cooperation between all the interested parties.

In the concluding session, the results of the two working groups were summarized and the following recommendations were adopted:

- In the field of legislative reforms, with the aim of reflecting international standards and providing guarantees against torture and degrading treatment, accelerate the drafting and adoption of the following laws:

1. Law of the RoA on Civil Service,
2. Criminal Code of the RoA,
3. Law of the RoA on the Human Rights Defender,
4. Law of the RoA on Criminal Executive Service,
5. Law of the RoA on Treatment of Arrested and Detained Persons,
6. Law of the RoA on Alternative Service,
7. Criminal Executive Code of the RoA.

From the point of view of human rights protection and promotion it is of high importance that Armenia make a declaration under article 22 of the Convention against Torture, Degrading and Inhuman Treatment, in order to recognize the authority of the UN Committee against Torture to receive and to review individual applications of those who consider that their rights under the Convention have been violated.

It is necessary to involve non-governmental organizations in the process of law drafting.

- With a view of improving the situation in structures affiliated to law enforcement agencies and in the army, take up the following measures:
 1. Discuss the issue of creating an Institute of public monitors in order to improve transparency of activities performed by law enforcement agencies,
 2. Provide opportunities for social-psychological and alternative medical help in places of detention,
 3. Specify the status of the Military Police and the legality of "receiving-allocating" points that operate within its structure,
 4. Establish mechanisms for the discussion of complaints, comprehensive coordination of statistics relevant to them and improvement of their efficiency.
- With a view of protecting Human Rights, in particular, preventing and prohibiting cases of torture, inhuman or degrading treatment, raising the awareness, legal knowledge and sense of justice of the population, especially exercising the principle of unavoidable punishment for illegal activities, organize training, open discussions and seminars on human rights protection:
 1. For the representatives of all sectors of law enforcement agencies and of human rights protection non-governmental organizations,
 2. For forensic experts and defense lawyers,
 3. With the support of International organizations, ensure that the relevant international documents on Human Rights' protection are studied, and the necessary ones are translated, publicized and disseminated.
- Ensure that all the interested parties actively participate in the preparation of the RoA periodic reports to the UN Committee against Torture.
- Ensure that a separate section on prevention and prohibition of torture, inhuman or degrading treatment in Armenia is included in the national Human Rights plan of action that is currently being developed.
- As a follow-up to the roundtable and in the view of implementing the recommendations included in the present final report and assessing the programs implemented within one year, organize another meeting next year, that will be devoted to the issues discussed in the framework of the roundtable.