ARMENIA


The Soviet period had a significant influence on the public position of women in Armenia. It promoted education and work outside the home, made mutual consent a requirement for marriage, and banned dowries. However, in the private sphere, women were still seen as responsible for childcare and all domestic work. Overall, the 20 years since the collapse of the Soviet Union has seen the role of women in public political and economic political life reduced. Women continue to be particularly affected by the ongoing transition to a market economy, poor economic development, and resulting high levels of unemployment, poverty, and male out-migration, especially in recent years.

1. Discriminatory family code

The Family Code of Armenia establishes the legal minimum age of marriage for women and men at 18. Only civil marriages registered at the Civic Status Registration Department are legally recognised in Armenia. According to a report from 2000, many couples choose to marry in church, and do not register their marriages.

The United Nations Population Fund reports that early marriage is practised in Armenia, particularly among ethnic minority communities.

Regarding parental authority, article 49 of the Family Code provides that parents have equal rights and responsibilities with regard to their children. Women and men can both legally be recognised as the head of household. Article 24 establishes the equality of both spouses in regard to the issues of

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1 CEDAW (2007), p. 5
2 Council of Europe (n.d.), (accessed 16 April 2014)
5 UNECA (2013)
6 CEDAW (2007), p. 9
7 UNFPA (2014a)
10 UNFPA (2014b)
11 Family Code (2004), Article 49
maternity, paternity, rearing and education of a child, as well as other issues of family life. Spouses also share joint legal responsibility for managing the household's finances.

The Family Code stipulates that spouses have equal decision-making authority over children following divorce, but must make decisions that are in the best interests of the child (for instance, regarding where the child will live). In cases where no consensus can be reached, the decision will be taken by the court.

Parental rights are governed by the Family Code. Customary and religious laws are not considered valid sources of law under the constitution, in regard to parental authority or any other matter.

Women have equal inheritance rights as widows and daughters under Armenia’s Civil Code. Inheritance is governed by civil law only. Customary and religious laws are not recognised under the Constitution, in regard to inheritance or any other matter.

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Article 13 of the Family Code establishes that either spouse may initiate divorce. A 2008 report by Amnesty International notes that divorce carries a high stigma for women, meaning that many do not leave abusive or unhappy marriages. However, more recent data from 2011 shows that the divorce rate is increasing, indicating that such attitudes may be changing.

Time use survey data collected by the World Bank found that women are responsible for 84% of housework and care work.

2. Restricted physical integrity

Armenia has not signed or ratified the Council of Europe ‘Convention on preventing and combating violence against women and domestic violence’. Currently, there is no specific legislation addressing domestic violence in Armenia, and the Criminal Code does not define domestic violence as a separate crime and does not criminalize it as such. In its Concluding Observations on Armenia, the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) Committee noted its concern at the absence of a dedicated government body or coordinating institution to implement measures aimed at tackling violence against women. In 2013, there were 1 501 cases of domestic violence reported by the police. Amnesty International, reports that many women experiencing domestic violence do not report it, either because they believe that

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12 Family Code (2004), Article 24
14 Family Code (2004), Articles 53, 54
17 Civil Code, Articles, 1216, 1222
19 Amnesty International (2008)
22 Council of Europe Treaty Office (2013)
23 CEDAW (2009), p. 5
24 US State Department (2014)
domestic violence is a private matter that should be resolved within the family, or because they believe the police will do little to help.\textsuperscript{25}

No data on conviction rates was found. In its Concluding Observations, the CEDAW Committee noted its regret at the lack of information available regarding criminal cases brought against perpetrators of violence against women.\textsuperscript{26}

While no statistics are available, Amnesty International reports that many women interviewed for research in 2008 recounted being told by police that domestic violence was a family matter that they should resolve themselves, or being pressured to retract statements or withdraw charges. Police interviewed for the report talked of how they saw it as their duty to stop cases of domestic violence reaching the courts, in order not to break up families and to ensure that women did not face the social stigma of divorce.\textsuperscript{27}

\textbf{Rape} is a criminal offence under Armenia's Criminal Code.\textsuperscript{28} The definition of rape in the Criminal Code does not specifically refer to marital or spousal rape.\textsuperscript{29} Rape is punishable by 3-6 years imprisonment or by 8-15 years imprisonment if the victim is under the age of 14.\textsuperscript{30}

There are no clauses included in the Criminal Code to indicate that a rapist can escape punishment by marrying his victim.\textsuperscript{31} However, in research published in 2008, Amnesty International came across several cases of bride-kidnapping (abduction for forced marriage), whereby a woman was abducted and raped, and then effectively forced to marry her abductor out of shame and fear of stigma.\textsuperscript{32}

It is not clear how well the laws on rape are implemented. There does not appear to be any mechanism in place to report sexual harassment, although the Women's Resource Centre NGO runs a support line for victims of sexual assault.\textsuperscript{33}

As mentioned above, in its Concluding Observations on Armenia, the CEDAW Committee noted its concern at the absence of a dedicated government body or coordinating institution to implement measures aimed at tackling violence against women, including sexual violence.\textsuperscript{34}

According to a 2008 report by Amnesty International, victims of rape and sexual assault rarely report the attack for fear that they will be blamed\textsuperscript{35}. The report stated that women are expected to submit to sex whenever their husbands request it, and intimate partner and spousal rape is a strictly taboo and highly controversial topic, meaning that women are even less likely to report such attacks. Therefore, many women who have been raped by their husbands do not recognise what has happened to them as rape.\textsuperscript{36}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{25} Amnesty International (2008)
\item \textsuperscript{26} CEDAW (2009), p.5
\item \textsuperscript{27} Amnesty International (2008)
\item \textsuperscript{28} Criminal Code, Article 138
\item \textsuperscript{29} Criminal Code, Article 138
\item \textsuperscript{30} Criminal Code, Article 138
\item \textsuperscript{31} Criminal Code, Article 138
\item \textsuperscript{32} Amnesty International (2008)
\item \textsuperscript{33} Women's Resource Centre
\item \textsuperscript{34} CEDAW (2009), p. 5
\item \textsuperscript{35} Amnesty International (2008)
\item \textsuperscript{36} Amnesty International (2008)
\end{itemize}
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Amnesty’s research found that in cases where women reported rape and sexual assault, police often blamed the victim, assuming that she had done something to provoke the attack.\(^37\)

According to the US State Department Human Rights Report on Armenia, 19 cases of rape or attempted rape were registered in 2012. It is unclear whether these resulted in convictions.\(^38\)

According to the Women Against Violence Europe (WAVE) network, since 2010, Police Academy students have received training on handling domestic violence cases, using teaching materials prepared by the Women’s Resource Centre.\(^39\)

**Sexual harassment** is included under the Labour Code, where it is considered to be a “gross violation of labour discipline”.\(^40\) The provisions relating to sexual harassment in the Labour Code only cover sexual harassment in the work place.\(^41\) Under the Labour Code, someone found to have sexually harassed a colleague or employee can be dismissed from their post.\(^42\)

Sexual harassment is not specifically addressed under the Criminal Code. However, exploiting a position of dependency in order to coerce someone into a sexual act is a criminal offence.\(^43\) The maximum criminal penalty for exploiting a position of dependency in order to coerce someone into a sexual act is a fine in the amount of 200 to 300 minimal salaries, or correctional labour for up to two years, or imprisonment for up to one year.\(^44\)

According to a shadow report to the CEDAW Committee prepared by Democracy Today and the All Armenian Union of Women in 2007, many women are reluctant to report sexual harassment in the workplace, for fear of losing their jobs in a context of high unemployment and few career opportunities.\(^45\) The report also states that little research has been undertaken on the prevalence of sexual harassment in Armenia, but that anecdotally, it is considered to be a serious problem. Similar findings were reported in a 2008 report by Amnesty International.\(^46\)\(^47\)

There is no evidence that **female genital mutilation** is practised in Armenia.

**More**

Cases of abduction for forced marriage (bride kidnapping) have been recorded in Armenia.\(^48\)

**Abortion** is available on demand in Armenia for the first 12 weeks of a pregnancy. After the 12 weeks, abortion is available under certain circumstances including health and social grounds with the consent of a doctor\(^49\)

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37 Amnesty International (2008)  
38 US Department of State (2013)  
39 WAVE (2011)  
40 Labour Code, Article 221  
41 Labour Code, Articles 221, 222  
42 Labour Code, Article 222  
43 Criminal Code, Article 140  
44 Criminal Code, Article 140  
45 Democracy Today and the All Armenian Union of Women (2007), p. 16  
46 Democracy Today and the All Armenian Union of Women (2007), p. 20-21  
47 Democracy Today and the All Armenian Union of Women (2007), p. 16  
48 Thomas, Cheryl (2009), p. 7
3. Son bias

The estimated male/female sex ratio for the working age population in 2014 is 0.88, while the sex ratio at birth is 1.11.\textsuperscript{50} Analyses of data across age groups show very high juvenile sex ratios and low adult sex ratios, providing initial evidence that Armenia is a country of concern in relation to missing women due to the very high sex ratios in young age groups. However, the sex-ratio of the population is also explained by the high mortality rate for men: in 2012, the mortality rate for males was 162.5 per 1,000 male adults, compared with 78 only for female adults.\textsuperscript{51}

Infant mortality rates are higher for boys (15.39 deaths over 1,000 live births) than for girls (12.36 deaths over 1,000 live births).\textsuperscript{52}

Finally, research demonstrates that sex-selective abortions are increasing in Armenia and are skewing the gender balance. For example, a 2011 study by the UNFPA Armenia Country Office confirmed that prenatal sex selection occurs in Armenia. The study showed the sex-at-birth ratio in Armenia to be skewed at 114 boys to 100 girls in 2012, while the accepted normal biological ratio is 102-106 boys to 100 girls.\textsuperscript{53} A 2013 report also expects 93,000 women to be missing in Armenia by 2060, provided that the high pre-natal sex selection rate remains unchanged.\textsuperscript{54} Among the reasons for son preference in Armenia is a patriarchal culture, ‘based on a patrilineal kinship system’.\textsuperscript{55}

More

In terms of school enrolment, there seems to be no gender gap when it comes to pre-primary and primary education based on 2008-2012 UNICEF data. Girls are in a slightly better position than boys when it comes to secondary school participation, with a net attendance ratio of 75.8%, compared to 66.9 for boys. Youth (15-24) literacy rates are identical for males and females (around 99.8%).\textsuperscript{56}

Boys are more vulnerable than girls when it comes to child labour, based on data from 2002 to 2012. The percentage of male children aged 5 to 14 years involved in child labour activities is 4.7, compared to 2.9 for females.\textsuperscript{57} The labour force participation rate for ages 15 to 24 in 2012 indicates a more significant participation of males (43.2%) than females (29.8%).\textsuperscript{58}

4. Restricted resources and assets

Women and men have the same rights to own and access land in Armenia, under the Constitution and the Civil Code.\textsuperscript{59}

\textsuperscript{49} United Nations Department of Economic and Social Affairs, Population Division (2013)
\textsuperscript{50} CIA, The World Factbook
\textsuperscript{51} World Bank (2012)
\textsuperscript{52} CIA, The World Factbook
\textsuperscript{53} UN Fact sheet on sex imbalances at birth in Armenia
\textsuperscript{54} UNFPA (2013)
\textsuperscript{55} Guilmoto, C.Z. (2013)
\textsuperscript{56} UNICEF Statistics
\textsuperscript{57} UNICEF Statistics
\textsuperscript{58} World Bank Development Indicators Database
\textsuperscript{59} Constitution, Article 31; Civil Code, Article 167.
Customary and religious laws are not considered valid sources of law under the constitution, in regard to land rights or any other matter.60

There is no concrete data available on women’s ownership of land. The government of Armenia privatised land in 1991/92 by splitting it amongst households. Land ownership was awarded to the head of the family, regardless of gender. This means that, in reality, women only gained ownership of land in the absence of a male head of the family. However, women are often responsible for managing land, even if they do not own it, partly as a result of high levels of male out-migration in rural areas.61

No information was found regarding how women’s land rights are implemented in practice; however, the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) shadow reports by the Armenian Association of Women with University Education and by Democracy and Today and the All Armenian Union of Women state that women’s lack of legal knowledge regarding their rights to land ownership and access is a significant problem.62

It should be noted that a number of local and international NGOs are working towards increasing rural women’s involvement in income-generating activities: for example the United Methodist Committee on Relief (UMCOR) Aregak is a micro-credit programme that helps small groups of women by providing small loans to build agriculturally-based businesses for their families;63 another example is the “Rural Women’s Leadership programme” led by the NGO “Democracy Today”. The programme was implemented in 2000 in the 20 most vulnerable communities in Armenia, in partnership with Rutgers University in New Jersey. In 9 years, the project has expanded to include more than 600 women and cover more than 50 villages. Women are provided with knowledge and skills to equip them so they can start market-oriented agricultural projects.64

Women and men have the same rights to own and manage non-land assets in Armenia.65

Women’s property rights are not affected by marriage. Spouses have equal property rights, and any property purchased during the marriage is owned jointly. Any property that the wife owns before marriage remains hers alone, as does any property that she is given or inherits once she is married.66

Customary and religious laws are not considered valid sources of law under the constitution, in regard to property rights or any other matter.67

Women have the same rights as men to open a bank account, and there do not appear to be any legal restrictions on women’s access to financial services.68

However, the Armenian Association of Women with University Education reported in 2007 that women face discrimination in accessing credit, particularly in rural areas. The report included details of

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60 International Bank for Reconstruction and Development / World Bank (2011), p.56
61 Armenian Association of Women with University Education (2007), p.54
62 Armenian Association of Women with University Education (2007), p.54
63 UMCOR Aregak programme
64 Democracy Today and the All Armenian Union of Women (2007)
65 Constitution, Article 31; Civil Code, Article 167
66 Civil Code, Article 201
government programmes to provide women in rural areas with credit. It is unclear whether these programmes are still running.\(^69\)

Financial inclusion data from the World Bank indicates that 18% of adult women had a bank account in 2011, as did 17% of men. In the same year, 19% of adults had taken out a loan with a financial institution (defined as a bank, credit union, microfinance institution, or another financial institution such as a cooperative); these data were not disaggregated by gender.\(^70\)

According to the Microfinance Information Exchange, women accounted for 39.34% of recipients of micro-credit in Armenia in 2012.\(^71\) The Eurasian Development Bank (EDB) has recently established a microcredit programme in Armenia, but it is unclear whether this will specifically target women.\(^72\)

### 5. Restricted civil liberties

Women and men have the same legal right to freedom of movement in Armenia, and this is protected under the constitution.\(^73\) There are no restrictions on a woman's right to apply for a passport, or to travel outside of Armenia.\(^74\)

Homophobia appears to be widespread in Armenia, limiting Lesbian, Gay, Bisexual, Transgender and Intersexed women’s access to public space. Amnesty International reports that politicians have condoned homophobic attacks. However, Human Rights Watch reports that in 2012, some women’s rights groups and activists were the targets of homophobic abuse and violence because of their support for Lesbian, Gay, Bisexual and Transgender rights. Police apparently failed to intervene effectively on these occasions.\(^75\)\(^,\)\(^76\) An attitudinal study reveals that in 2013, human rights violations of LGBT people remained a concern in Armenia, including within the family, educational settings, healthcare facilities, as well as the police and military institutions.\(^77\)

Women’s legal right to choose their place of residency (including after marriage) is protected by the Constitution and the Family Code.\(^78\)

Women’s activism in civil society has been growing in Armenia. For example in recent years, women have successfully opposed regressive reforms to the maternity pay legislation;\(^79\) women have also mobilised and lead the campaign to address violence and deaths in the Armenian Army through the “Army in Reality” civic initiative;\(^80\) moreover, women are very active in other social movements including environment and human rights issues.\(^81\)

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\(^{69}\) Armenian Association of Women with University Education (2007), p.54  
\(^{70}\) World Bank (n.d.)  
\(^{71}\) Microfinance Information Exchange (2013)  
\(^{72}\) EDB (2012)  
\(^{73}\) Constitution, Article 25  
\(^{74}\) International Bank for Reconstruction and Development / World Bank (2011), p.56  
\(^{75}\) Amnesty International (2013), p. 27  
\(^{76}\) Human Rights Watch (2013), p. 395-396  
\(^{77}\) Public Information and Need of Knowledge NGO (2013)  
\(^{78}\) Constitution, Article 25. Family Code, Article 24  
\(^{79}\) Armenia Now (2010)  
\(^{80}\) The Armenian Weekly (2012)  
\(^{81}\) Ishkanian, Armine et al.(2013)
National-level **quotas** of 20% are in place to promote women’s **political participation** in Armenia.\(^82\)

There are no quotas currently in place at sub-national levels of government, with the exception of a 20% quota for Yerevan City Council.\(^83\)

According to the Institute for War and Peace Reporting, in the first round of local elections held in 2012, out of a total of 397 posts for mayor or local government chief, only nine women were elected; one third of female candidates pulled out before polling day.\(^84\)

In 2010, 9.2% of RA National Assembly (NA) deputies were female and women were included in five NA commissions out of 12.\(^85\) To remedy this situation, amendments were made in the RA Electoral Code to raise the percentage of mandatory female participation in a party’s electoral list for National Assembly elections under proportional system from 5% to 15%. In addition, every tenth person in the list must be a woman.\(^86\)

In the 2011 local elections, the United Nations Development Program (UNDP) launched a project entitled “Promoting Equal Rights and Equal Opportunities in Armenia: Women in Local Democracy”. It supported the participation of women in Armenia’s 2011-2014 local elections and during their terms in the office. Women benefited from a broad range of capacity-building and advocacy activities. The project used gender transformative programming, which helped shift attitudes and behaviours and reduce gender-specific constraints that Armenian women face in social and political decision-making processes.\(^87\)

**More**

The Convention on the Elimination of All forms of Discrimination against Women (CEDAW) official report and shadow reports submitted in 2007 stated that gender stereotyping is widespread in the **media** in Armenia.\(^88\) A recent report on women’s organisations notes that women activists identified the reinforcement of negative gender stereotypes in the media as among the most critical challenges facing women in Armenia.\(^89\)

Concerning **employment**, discrimination on the basis of gender is prohibited under the Constitution, and the Labour Code stipulates that gender discrimination in regard to remuneration is illegal.\(^90\)

Pregnant women are entitled to 140 days of paid **maternity leave**, 70 days to be taken before the birth, and 70 after. While on maternity leave, women are entitled to receive their full salary for the entire duration.\(^91\) Information is unavailable on the financing of paid maternity leave.\(^92\)

\(^{82}\) Electoral Code of Armenia, Article 180  
\(^{83}\) QuotaProject (2013)  
\(^{84}\) Mkrtchyan, Gayane (2012)  
\(^{85}\) Open Society (2010)  
\(^{86}\) Article 10.2 of the RA Electoral Code; HRA (n.d)  
\(^{87}\) European Union (2011)  
\(^{89}\) International Foundation for Electoral Systems (2013)  
\(^{90}\) Constitution, Article 14. Labour Code, Article 148  
\(^{91}\) Labour Code, Articles 7, 172  
\(^{92}\) International Labour Organisation (ILO) (2011)
Sources


Ishkanian, Armine et al. (2013), Civil society, development and environmental activism in Armenia City Print House, Yerevan, Armenia. http://eprints.lse.ac.uk/54755/.


UN Population Fund (UNFPA) (2014b) Child marriage in Eastern Europe and Central Asia: regional review, UNFPA EECARO.


United Methodist Committee on Relief Aregak Programme http://gbgm-umc.org/nwo/00ma/armenia.html.


