

of deported persons, national minorities and peoples; the CIS Convention on the safeguarding of the rights of members of national minorities; the process of drafting new legislation, including a new Penal Code, expected to be adopted by the end of 1998, as well as legislation regarding employment and the family; the publication and dissemination of the texts and principles of the Convention and other human rights documents; and the programme undertaken with the Office of the High Commissioner of Human Rights to organize seminars, train specialists and disseminate human rights literature.

The principal subjects of concern identified by the Committee included, *inter alia*: the fact that article 69 of the Penal Code currently in force does not prohibit all dissemination of ideas based on racial superiority and incitement to racial discrimination; the lack of information in the government's report on the incidence of racially motivated crime; the reported cases of torture and other cruel or degrading treatment on the part of police and investigating officers; and the provision in law that teaching must be conducted in the official language (Armenian), and that, in practice, some minority groups are therefore denied access to education.

The Committee recommended that the government, *inter alia*:

- ♦ comply fully with article 4 of the Convention and register statistics on racially motivated crimes; include information on such crimes in the next periodic report, together with detailed information on complaints received and judgements issued by courts concerning racial discrimination;
- ♦ consider adopting measures to ensure that ethnic and national minorities have access to education in their own language whenever possible;
- ♦ include information in the next report about the results and effectiveness of the ongoing human rights projects carried out with the Office of the High Commissioner for Human Rights;
- ♦ provide the Committee with the texts of new laws concerning racial discrimination once they are adopted and, subsequently, with information on the effectiveness of the reforms of the judicial system in practice;
- ♦ include further information in the next report on, *inter alia*, the restoration of the rights of deportees who have returned to the country, the results of the national reform on education, and the access to health care, housing and employment of ethnic and national minorities; and
- ♦ consider establishing a human rights commission to take action on the recommendations brought forward by the Committee.

HUMAN RIGHTS COMMITTEE

Armenia's initial report (CCPR/C/92/Add.2, July 1997) was considered by the Committee at its October 1998 session. The report, prepared by the government, contains information on, *inter alia*: legal developments following adoption of the August 1990 declaration of independence; provisions in the March 1995 Constitution; the government's position on the status of Nagorny-Karabakh and the conflict with Azerbaijan; constitutional and legal provisions related to equality and non-discrimination; provisions in the Criminal Code related to liability for discrimination against women; modifications to the Marriage and Family Code; women in public and political life; citizenship provisions and social assistance for single women and mothers with many children; stipulations and legal provisions related to states of emergency; the status and use of the death penalty, provisions in the Criminal Code related deprivation of life (e.g., murder); the prohibition of torture and ill treatment; labour and industry within prisons; the right to life and security of person, pre-trial detention and related matters; criminal liability of citizens for crimes committed in other countries; detention and incarceration establishments, including corrective labour colonies; freedom of movement, expulsion of aliens; equality before the courts and the right to a fair hearing, recognition as a person before the law; freedom from arbitrary interference; freedom of thought, conscience and religion, opinion, expression, association and assembly; the Act on the press and other mass media; the prohibition of propaganda for war; legal provisions related to trade unions and political parties; the Public Organizations Act 1996; protection of the family, marriage, divorce, parental rights and duties; provisions in the Rights of the Child Act; the right to vote and be elected; equality before the law and the right to be protected; and the rights of persons belonging to minorities.

The Committee's concluding observations and comments (CCPR/79/Add.100) welcomed, *inter alia*: the establishment of the Constitutional Commission; the adoption of the law on the independence of the judiciary and a number of other laws and codes; the establishment of the Commission on Human Rights as an advisory body to the President; the creation of a Human Rights Department within the Ministry of Foreign Affairs; the proposal to establish the office of Ombudsmen with power to handle individual complaints; the intention to abolish the death penalty by 1 January 1999; and the release of political prisoners following the last presidential elections.

The principal subjects of concern identified by the Committee were, *inter alia*: the incompatibility of several constitutional provisions with the Covenant, noting those on citizenship, freedom of movement and stipulations related to derogation; failure to guarantee fully the independence of the judiciary; limits on recourse to the Constitutional Court; failure to list in the present law all grounds for pre-trial detention; the fact that very few detainees benefit from bail; allegations of torture and ill treatment by law enforcement officials; the poor condi-