



ARMENIA

Protection of the child deprived of, or at risk of being deprived of, the family of origin

COUNTRY SITUATION

March 2007
Update: June 2009

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A. ANALYSIS OF THE SITUATION BY ISS/IRC

General situation

With a population of some 3 million inhabitants – 28.4% of whom are less than 18 years of age and 5.5% are less than 5 –, Armenia is the least well off of the Caucasian republics. Small, mountainous, hemmed in, with neither natural resources nor advanced agriculture, Armenia is moreover a mainly Christian country at loggerheads with its mostly Muslim neighbours.

At the end of the 80s, Armenia lived through a period of economic, social and political crises, brought on by the disastrous effect of a violent earthquake, the collapse of the Soviet bloc and the war with Azerbaijan over the contested territory of Nagorno-Karabakh. The crises have reduced to nothing the social safety net from which the population benefited during the communist era. What is more, poverty affected a great majority of the population who had felt the full force of the devaluation of the currency, the economic crisis and unemployment. Furthermore, the Nagorno-Karabakh conflict brought about the displacement of a great number of people in the interior of the country. These refugees, who found themselves in a very precarious situation, swelled the ranks of an already impoverished population. Despite the 1994 ceasefire, the question of refugees is still unresolved. The economic situation in Armenia underwent a clear improvement during the 90s, but despite consistent economic growth since 1996, a great part of the population still lives below the poverty line. According to Save the Children, it is estimated that 55% of the population survive on less than \$2 a day. In addition, the rate of poverty

continues to grow in the rural areas. The economic and social predicament has induced a weakening of family unity. The number of one-parent families has also increased, leaving them even more vulnerable. In recent years, the government has launched a whole series of programmes to improve the situation of the poorest. The introduction in 2003 of the "Strategic Programme to Overcome Poverty" was a decisive step. This programme, to be implemented between 2004 and 2015, should have a beneficial effect on the precarious situation of poor families and particularly on children.

Sources : UNICEF (<http://www.unicef.fr/accueil/sur-le-terrain/pays/europe-centrale-et-orientale---cei/armenie/var/lang/FR/rub/199.html>); Médecins Sans Frontières (<http://www.msf.fr/documents/base/2003-09-25-msfVF.pdf>); Save the Children (http://www.savethechildren.org/countries/middle_east_eurasia/armenia/index.asp); <http://fr.wikipedia.org/wiki/Arm%C3%A9nie>; The State of the World's Children 2006, http://www.unicef.org/infobycountry/armenia_statistics.html

Children deprived of family and responses to it

Poverty has a disastrous effect on the state of children, the most vulnerable section of the population in Armenia. In point of fact, for many families without financial resources, the only way to guarantee the basic needs of their children is to thrust them into begging. What is more, destitute parents do not hesitate to place their children in boarding schools or orphanages, the only way of ensuring them access to care and education. According to a UNICEF report, poverty, unemployment, the absence of adequate accommodation, social conditions (amongst other things the lack of measures for child-minding: crèches, nurseries and playgroups) as well as economic conditions are the main reasons that lead families to place their children in institutions. Single-parent families with a woman at their head are the most exposed. In Armenia, about 55,000 families are single-parent and take care of more than 63,700 children. 37.4% of the latter are children of single mothers, 17.4% are children of divorced parents and 45.2 % are children of families that have lost the breadwinner. As a consequence, the majority of children placed in institutions or orphanages come from single-parent families. Nonetheless, in recent years the number of children from nuclear (two parents) but still socially vulnerable families has increased.

The number of Armenian children placed in institutions has increased by at least a third since 1999, with 11,000 children in special institutions and 900 living in the eight public orphanages. Most of these children have at least one living parent. It is worrying to know that the number of children of a young age placed in institutions (for small children) has also increased. These children are from zero to three years old, the age group where institutionalization does the most harm. The increase in the number of children in orphanages goes hand-in-hand with a growth in the social burden brought about by social orphans. In fact, the latter enter the orphanages before they are adolescents and there they develop a feeling of isolation and of a rather negative self respect, which has an impact on their future life.

In order to improve the lot of children and vulnerable families, the Armenian government has in recent years launched several programmes that attack the root causes of the problem. The reduction in the rate of poverty, deinstitutionalization of children, the provision of medical care, the promotion of education, care provision for vulnerable children that should be as close as possible to their family environment are just some of these deserving causes. The year 2001 was declared "The Year for the Protection of the Child" in the countries of the Commonwealth of Independent States (CIS), and on 21 June of the same year the government adopted the Decree N 558 to take note of and develop a national plan for the protection of the rights of the child. A committee was also set up to elaborate this plan. In 2002, the allowances for poor families were diverted to the children of poor families, and in 2003 the allowances for these children were increased from 1,500 to 2,000 Armenian Dram. In 2002 and 2003, several decrees tackled the issue of children deprived of parental care. Another major breakthrough was achieved on 8 April 2004 thanks to decree N 945-N, which approved the "National Plan for Improvement of the Situation of Women and Raising their Role in Society 2004 – 2010". This programme aims to reduce unemployment among women, regulate questions of health and reproduction, improve the birth rate, catch up with preschool education and the system for providing child care, as well as solutions to social and economic issues for women. As for the issue of institutionalization of children, Decree 988-N of 1 July 2004 approved the pilot project on deinstitutionalization. Together with UNICEF, the MLSI implemented this project in 2002 - 2003. An analysis was made of the status of families whose children

are placed in orphanages, the reasons for the placement of children in orphanages and the selection of families who could take care of their children if the State were to grant them a proper allowance. This allowed the Armenian government to work at the deinstitutionalization of children by creating a database (called "Mankuk") for children in orphanages and adopting a decree (N 1654 adopted on 27 November 2003) relating to a programme of reforms of the institutions that provide child care. On 19 April 2005 the new Family Code came into force, which grants official recognition to the right of a child to grow up in a family environment and ranks institutional placement as a measure of last resort. Thus, children enrolled in institutions now return more frequently to their family at the end of the school year or on the weekends or during holidays. Furthermore, children in orphanages are placed more and more with sponsoring families and receive financial assistance of 600,000 Dram per year from the State.

According to the Ministry of Labour and Social Issues, 1,000 children currently live in one of the eight public orphanages and 250 are spread among the five private institutions. Most of these children have living parents, who unfortunately do not have the means to care for them. These figures show clearly that deinstitutionalization of children from socially vulnerable families has progressed very little. The process must therefore continue so as to enable all socially vulnerable families to care for their children and ensure them an adequate family-life environment.



















ISS/IRC Comments:

Armenia has certainly taken a great leap forward in the protection of the rights of children deprived of family thanks to the promulgation of very well supported legislation on the subject and the application of social programmes. Nonetheless, this effort must be underpinned by the political will, the long-term allocation of a realistic budget for social programmes. The issue of children deprived of family and institutionalized is closely linked to social and economic hardship and to the poverty of the population - issues that need long-term investment. Furthermore, as pointed out by the Committee on the Rights of the Child in its recommendations in 2004, a better collection of data on the number of children institutionalized, children placed with foster families, children born out of wedlock and not registered at the time of birth would make it possible to produce a more appropriate analysis of progress made in this field. Moreover, the issue of disabled children remains crucial, since the latter are very often institutionalized because communities are under no obligation to assist the families of disabled children. Finally, the condition of street children who are often institutionalized in the wake of violent police round-ups still gives cause for concern. Social and financial support for the families of these children is necessary in order to prevent the children begging in the street and finishing up in institutions, when they could be living with their families.

Sources : UNICEF (<http://www.unicef.fr/accueil/sur-le-terrain/pays/europe-centrale-et-orientale---cei/armenie/var/lang/FR/rub/199.html>); Ministry of Social Security of the Republic of Armenia (<http://www.mss.am/eng/volort/mankatun/mankatun.htm>); 21/01/2004 Summary record of the 924th session of the CRC, held on 15 January 2004, E-F-S CRC/C/SR.924; Netherlands Institute of Human Rights, <http://sim.law.uu.nl/SIM/CaseLaw/uncom.nsf/0/431b11a18a3ec535c1256e2e0044014e?OpenDocument>; UNICEF « Armenia : Out of Home Care » http://ceecis.org/child_protection/arm_out.htm et [Number of adoptions between 1989 and 2002](#) (graph); Ministry of Labour and Social Issues of the Republic of Armenia <http://www.mss.am/eng/volort/familystat.htm>; UNICEF "[Armenian orphanage report](#)"; Government of the Republic of Armenia "Strategic Programme to Overcome Poverty to be implemented from 2004 and 2015" http://www.gov.am/enversion/programms_9/pdf/chapter_7.pdf; UNICEF http://www.unicef.org/infobycountry/media_26000.html; "Government of Armenia and UNICEF review progress on National Plan of Action for protection for child rights", 29 April 2005, http://www.unicef.org/ceecis/media_1648.html; UNDP Armenia "Committee on Rights of the Child Reviews Second Periodic Report of Armenia", <http://www.armeniaforeignministry.am/news/inthenews/040116undpi.html>, 16 January 2004; Reliefweb "Armenia reviews progress on child rights", <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VBOL-6C2JDB?OpenDocument>, 29 April 2005; Armenialiberty.org "Armenian Child Adoptions largely unaffected by stricter rules", 12 January 2006, <http://www.armenialiberty.org/armeniareport/report/en/2006/01/17E474E4-5316-4113-B548-A4231B9948F9.asp>

<p>Competent Authority</p>	<ul style="list-style-type: none"> - Ministry of Labour and Social Issues (MLSI) and Department of Family, Women and Children Issues, which is a department of the MLSI. - According to Decree N 413 of 3 July 2000, the ministry is responsible for the centralized registration of: adoptable children, prospective adoptive parents and adoptive parents by means of the department. - A recent update from the US Department of State mentions that the Adoption Commission will be the Adoption Authority will evaluate the demands for adoption and will be composed of a mixture of various Ministers and governed by the Prime Minister's Office. For the details see (http://travel.state.gov/family/adoption/country/country_394.html, october 2006).
<p>AAB</p>	<ul style="list-style-type: none"> - Only the custody and guardianship department, the Marz administration (Yerevan municipality) and the body authorized by the Armenian Government are authorized to handle child adoption in Armenia. Intermediary activity by other organs is prohibited by law (art. 115 Family Code).
<p>Simple / full adoption</p>	<ul style="list-style-type: none"> - Full adoption (art. 126 Family Code) but open (art. 56), as the adopted child has been given the right to communicate with his family of origin.
<p>Adoptability</p>	<ul style="list-style-type: none"> - Children whom parents: are deceased, have been deprived of their parental rights, have been restricted of their parental rights, recognized as incapable, have refused to rear or protect adequately their children, have neglected their children (art. 109 Family Code) are adoptable.
<p>Consent</p>	<ul style="list-style-type: none"> - According to the new Family Code, the consent of parents, guardians or foster parents is necessary for child adoption (art. 118, 120). - Consent of a child above 10 is necessary for his/her adoption, unless the child lived in the family of the adopter before the latter had submitted his application for adoption and considers him/her as a parent. Only in this case, adoption can be realized without child's consent (art.121).
<p>Prospective adoptive parents</p>	<ul style="list-style-type: none"> - To be able to adopt, major persons must have blank criminal records, a permanent place of residence, sufficient income to provide minimal living needs of a child and be in good health (art. 116). - Unmarried persons cannot adopt jointly the same child. - If several prospective adoptive parents simultaneously wish to adopt the same child, preference will be given to relatives and foster parents if it is in the best interests of the child. - Age difference between the unmarried adopter and the adopted child should not be less than 18 years. In case the child is adopted by a foster-father or foster-mother, this age difference is not required (art. 117). - Singles and married couples may adopt - According to the US Department of State, despite not being in legislation, the Armenian Government will not easily approve an adoption unless the PAPS have an Armenian ethnicity or strong links with Armenia. According to the MAI (France), even if the Armenian legislation on intercountry adoption for children is not reserved for this group or Armenian emigrants or those with Armenian origins, the procedures have proven to be in practice difficult to adopt for non Armenians.
<p>File of PAPS</p>	<p>The following documents are required for the <u>registration</u> of prospective adoptive parents (PAP):</p> <ul style="list-style-type: none"> ▪ Copy of PAP passports ▪ Copy of home study, including a description of the family and the home where the adopted child will reside ▪ Work verification letters indicating position, salary, and three letters of reference ▪ Tax return for the most recent tax year ▪ Copy of marriage certificate, if applicable ▪ Copy of divorce decree, or spouse's death certificate, if applicable ▪ Spousal consent (if only one spouse is legally adopting the child)

	<ul style="list-style-type: none"> ▪ Medical evaluation report confirming that the prospective adoptive parent(s) do not suffer from any type of psychological condition, alcoholism or drug abuse, HIV AIDS or other STD, active tuberculosis or other infectious diseases ▪ Local police check for prospective adoptive parents ▪ Power of Attorney if documents will be submitted through an authorized representative <p>The following documents must be submitted to <u>the regional court presiding over the child's district once a child has been selected (See matching section)</u>:</p> <ul style="list-style-type: none"> ▪ Notification of PAPA's plans to change the child's name, date or place of birth, or to list themselves as parents on new documents ▪ PAPA's passports or other identification ▪ PAPA's marriage certificate, if applicable ▪ Spousal consent (if married and only one spouse is legally adopting the child) ▪ Child's consent if the child is over 10 years of age ▪ Child's birth certificate and medical records ▪ Statement of child's centralized registration from the Ministry of Social Security ▪ Written consent of adoptive parents, birth parents, and the orphanage. If applicable, death certificates of birth parents and consent of biological grandparents if the biological parents are not legal adults. ▪ Government approval of prospective adoptive parents
Matching	<p>For an ICA, the relevant adoption authority in the receiving country must send all the above <u>registration</u> documents to the Armenian National Adoption Committee who will make an assessment on suitability to adopt. This assessment will take no longer than 1 month. The suitability assessment remains valid for one year.</p> <p>In Armenia, the PAPA can identify a child they are interested from a registry of eligible children for ICA kept by the Ministry of Labour and Social Issues. Once the child has been identified, the PAPA must submit the documents mentioned above to the <u>regional court</u> where the child resides.</p>
Average duration of the procedure	<p>- Gathering all the appropriate documents and getting approval from a variety of Armenian authorities is the most time-consuming part of adopting in Armenia. This can last 4 to 8 weeks and possibly longer if the parents are operating without a translator or facilitator, who was often asking for outrageous amounts of money to facilitate the adoption (US State Department). This practice has been condemned by the Government. The new legislation forbids the use of intermediaries.</p> <p>- The time between submitting dossier and having a referral of a child is typically about 5-7 months.</p>
Domestic adoption	<p>- The department of custody and guardianship is informed in case a child is deprived of parental care. Then the department sends this information to the concerned Marz administrations (Yerevan Municipality) which register the child and inform the body authorized by the Armenian Government. The authorized body implements centralized registration of the child and assists in the placement of the child. Adoptable children are also registered in this database as well as prospective adoptive parents.</p> <p>- Adoption is considered in Armenia as the most favourable placement for a child. In fact, the department of custody and guardianship favours first adoption, then foster placement or guardianship, and finally institutional placement within all kinds of organizations for children deprived of parental care (art. 111 Family Code).</p>
Procedure	<p>- Adoption is implemented by court on the basis of an application of the prospective adoptive parent. The presence of the department of custody and guardianship and the prospective adoptive parent is required. The court takes</p>

	<p>into consideration the conclusions of the Marz administrations (Yerevan Municipality) on the grounds of adoption and the equivalency of adoption to the interests of the child (by favouring adoptions when personal contacts exist already between the child and the prospective adoptive parent) (art. 113).</p> <ul style="list-style-type: none"> - During the closed court proceedings, the court will make a decision about changes to the child's name, birth certificate etc. PAPS and children over 14 must be present. Cases may be rejected because of incomplete or fraudulent paper work. - Rights and obligations of an adopted child and adopters emerge after the entry into force of the court verdict on adoptability. Within three days after the entry into force, the court is required to send the extract of the verdict to the state Civic Status Registration Department for registration. - To be able to get an adoption certificate, the court verdict must be registered by Civic Status Registration Department. 																																																																
Inter-country adoption	<ul style="list-style-type: none"> - Armenia is not a member state of THC-1993. - Information regarding adoptable children is transmitted to foreign prospective adoptive parents only 3 months after their registration. Prospective adoptive candidates must be registered with the body authorised by the Armenian Government (art. 112). - In 2003, 376 prospective adoptive parents registered with the Ministry of whom 220 Armenian citizens and 156 foreigners. This same year, 230 children were registered as adoptable of whom 217 have been adopted (137 by an Armenian citizen and 81 by a foreign prospective adoptive parent). 																																																																
Principle of subsidiarity of domestic and inter-country adoption	<ul style="list-style-type: none"> - According to the new Family Code (art. 112), adoption of Armenian children by foreign citizens and stateless persons, as well as Armenian citizens residing out of the Armenian territory is allowed only in cases if it is impossible to give these children for rearing to Armenian citizens or if they can't be adopted by relatives. 																																																																
Notice	<ul style="list-style-type: none"> - According to MAI, even though Armenian legislation on inter-country adoption of underage children doesn't allot it only to Armenian citizens or persons of Armenian origin, in practice the procedure seems to be extremely difficult for non-Armenian prospective adoptive parents. - The Ministry of Labour and Social Issues as well as the municipal centres of social services are in charge of the adopted child's follow up and his/her education. 																																																																
Statistics	<p>Statistics for years 2002 to 2007</p> <table border="1"> <thead> <tr> <th>Receiving Country</th> <th>2007</th> <th>2006</th> <th>2005</th> <th>2004</th> <th>2003</th> <th>2002</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td> Canada</td> <td></td> <td></td> <td></td> <td>10</td> <td>12</td> <td></td> <td>22</td> </tr> <tr> <td> France</td> <td></td> <td></td> <td></td> <td>16</td> <td></td> <td></td> <td>16</td> </tr> <tr> <td> Germany</td> <td></td> <td>8</td> <td>5</td> <td>9</td> <td></td> <td></td> <td>22</td> </tr> <tr> <td> Italy</td> <td>24</td> <td>12</td> <td></td> <td></td> <td></td> <td></td> <td>36</td> </tr> <tr> <td> Spain</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> <tr> <td> United Kingdom</td> <td></td> <td>1)</td> <td>1)</td> <td>1)</td> <td>1)</td> <td>1)</td> <td>0</td> </tr> <tr> <td>Total</td> <td>25</td> <td>20</td> <td>5</td> <td>35</td> <td>12</td> <td>0</td> <td>97</td> </tr> </tbody> </table> <p>1) The number of adopted children is small and for privacy reasons is neither shown and nor included in the total.</p> <p>Source: http://www.aican.org/statistics.php?region=0&type=birth</p>	Receiving Country	2007	2006	2005	2004	2003	2002	Total	 Canada				10	12		22	 France				16			16	 Germany		8	5	9			22	 Italy	24	12					36	 Spain	1						1	 United Kingdom		1)	1)	1)	1)	1)	0	Total	25	20	5	35	12	0	97
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ISS/IRC Comments:

The ISS recommends strongly to Armenia to sign THC-1993 and to start applying this convention. Furthermore, the nomination of a central authority responsible for the overseeing questions of adoption would make it possible to clarify the procedures.

The new Family Code certainly contains several points relating to the adoption procedure, but it makes no mention of the criteria adopted to produce a proper matching that takes into account the interests of the child. What is more, the final decision is made by the Courts basing themselves on conclusions of the border-land (Marz) administrations relating to the motives for adoption and its equivalency to the interests of the child. It will be good to know how these administrations keep their files and what preparation is provided for adoptable children and prospective adoptive parents.

The law on adoption was amended in 2003 in order to bring it into line with THC-1993. In the past, adoptions were primarily domestic. This amendment made it possible to open up inter-country adoption. But to what extent is it really? Practice seems to suggest that the adoption procedure is difficult for prospective adoptive parents who are not Armenian. It is certainly essential to first encourage national adoption, but discrimination against foreign prospective adoptive parents is not in keeping with the principles of THC-1993.

Sources: Armenia Foreign Ministry, "Committee on Rights of the Child reviews Second Periodic Report of Armenia", 16 January 2004, <http://www.armeniaforeignministry.am/news/inthenews/040116undpi.html>; MAI http://www.diplomatie.gouv.fr/MAI/ind_pays.html, US Department of State, http://www.travel.state.gov/family/adoption/country/country_394.html; <http://www.rainbowkids.com/countries/armenia.html>

B. LEGISLATION : BASIC SUMMARY

INTERNATIONAL INSTRUMENTS	Signature (s) Ratification (r) Accession (a) In force (f)	Web sites
The Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption (THC) of 1993		http://hcch.e-vision.nl/index_en.php?act=states.listing
The UN Convention on the Rights of the Child (CRC) of 1989	23 June 1993 (a)	http://www.unhchr.ch/html/menu2/6/crc/treaties/status-crc.htm
Optional Protocol to the CRC, on the Sale of Children, Child Prostitution and Child Pornography of 2000	24 September 2003 (s)	http://www.unhchr.ch/html/menu2/6/crc/treaties/status-opsc.htm
The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children of 1996		http://hcch.e-vision.nl/index_en.php?act=states.listing
Council of Europe Convention on Contact concerning Children of 2003 (n° 192)		http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=192&CM=8&DF=5/22/2006&CL=ENG

COUNTRY LEGISLATION	Available at ISS/IRC Hard copy (h) Electronic version (e)	Web sites
<i>Family Code of the Republic of Armenia</i> of 8 December 2004 (in force since 19 April 2005). Therefore, the old <i>Matrimony and Family Code of 1969</i> became null and void. <i>Sections VI to VIII relating to adoption</i>	Unofficial Translation of the Code: http://www.parliament.am/law_docs/081204HO123eng.pdf?lang=eng	
Civil procedures Code of the Republic of Armenia amended on 7 July 2005		
Law of the Republic of Armenia on « Social protection of children deprived of parental care » adopted on 24 September 2002		
Decree N 983-N « on Approving the Procedures for Provision of Housing to Children Deprived of Parental Care » of 23 July 2003		
Decree N 983-N « on Approving the Procedures for Provision for Registration of Children Deprived of Parental Care by Fostering and Guardianship Bodies » of 23 July 2003		
Decree N994 on « Poverty Reduction Strategy Paper » of 8 August 2003		http://www.gov.am/enversion/programms_9/pdf/chapter_7.pdf
Decree N17-N on «National Plan of Action for the Protection of Child Rights» of 18 December 2003 (implemented from 2004 to 2015)		
Decree N 1654-N «On approving the state strategic program of reforms of institutions involved in child care » of 27 November 2003		UNICEF “ Armenian orphanage report ; Appendix N1
Decree N 945-N on «National Plan for Improvement of the Situation of Women and Raising their Role in the Society 2004-2010 » of 8 April 2004		
Decree N 988-N on «Approving the Pilot Project on Deinstitutionalisation» of 1 July 2004		UNICEF “ Armenian orphanage report ; Appendix N2
Decree N 1324-N on «Recognizing as state governance body of RA and approving the minimum state social standards for care and upbringing of children in orphanages» of 5 August 2004		UNICEF “ Armenian orphanage report ; Appendix N3
Decree N 1419-N on «Approving the program of state support to graduates of residential care institutions» of 30 October 2004		UNICEF “ Armenian orphanage report ; Appendix N4
Decree N 1936-N on «Approving the Amendments and Additions to the decree of the government dated 12.02.2000 on Approving the Procedures for Adoption» of 24 December 2003		
Decree N°370 on «The Individual Staff and The Charter of Republican Adoption Commission About Certifying The Legal Charter of Regional (Marz) Adoption Commission» of 26 June 2000	French (h)	
Law on the Rights of the Child (amended)		
Law on Education amended		
Law on Adoptions amended in 2003		
Children’s Rights Act of 1996, amended in 2002 and 2003		

C. PROTAGONISTS

Competent Authority

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D. APPENDICES

The ISS/IRC highlights relevant information in bold or italic.

Appendix 1: ISS/IRC MONTHLY REVIEWS

N° 1/2006, January 2006

The state of institutionalised children in the former « Eastern Bloc » countries remains a matter of concern

In a recent report, the British NGO EveryChild advocates giving priority to solutions that focus on the family and addressing the causes of institutionalisation so as to eradicate the phenomenon.

More than 15 years after the fall of communism, the situation of children in institutions in Central and Eastern Europe and in the former Soviet Union remains a cause for concern. The British NGO, *EveryChild*, strongly argues this in its report published last month and which is available in English and Ukrainian¹. It thus tallies with earlier reports on the subject².

The first statement of fact: *the proportion of institutionalised children in the region has increased by approximately 3% since the collapse of communism. EveryChild* considers, moreover, that the official figures greatly underestimate the reality. The institutions of the different countries of the region do not accommodate 715,000 children as reported in the official figures, but rather at least 1.3 million.

Poor living conditions for children in institutions

The living conditions of children in these institutions remain extremely precarious in most of the countries reviewed. The NGO describes buildings in a pitiful state, failing equipment, unbalanced food diets, and low financial resources. Staff, and their professional training, is often insufficient to take adequate care of the hundreds of children that each institution receives. The latter are, moreover, frequently subjected to abuse, physical and verbal brutality and humiliation at the hands of the staff, members of their family or other minors. It follows that institutionalised children are often in poor health, suffer from problems of physical and motor development, and have their cognitive and social abilities reduced.

It is, therefore, a matter of urgency to eradicate the phenomenon, and with that in mind, *EveryChild* suggests for example that NGOs and donors no longer finance the renovation or the construction of institutions, but rather help governments in establishing other solutions, more focused on the family.

To address the root of the problem

In this framework, *EveryChild* - like the ISS/IRC - advocates, as a priority, the reintegration of the child in his/her family. Experience shows that such reintegration is possible in numerous cases, if it is well prepared, supported and followed up. *If this solution continues to be difficult to achieve, domestic solutions must be explored:* placement in the extended family, in a foster family (essentially as a temporary measure), or domestic adoption. As for *inter-country adoption, it should only be a measure of last resort.*

The massive institutionalisation of children, however, is only the symptom of a more global problem. *The phenomenon is linked to poverty, as well as to social factors* (single mothers, broken families...). To combat it, therefore, it is essential to also act at that level, through preventive measures. Psychological, practical, material, or sometimes, in limited circumstances, financial support can also prove very useful. These types of actions, added to solutions focused on the family when necessary, benefits children much more and proves to involve less costs for States than overly systematic institutionalisation.

¹ *Family Matters: a Study of Institutional childcare in Central and Eastern Europe and the Former Soviet Union*, EveryChild, 4 Bath Place, Rivington St., London EC2A 3DR. Tel: 020 7749 2490. Fax: 020 7749 8339. The document is available in English at www.everychild.org.uk/media/docs/file8d43ba87f77c2fc5c7e504de56ec27d3.pdf. A Ukrainian version is also available and versions in Russian, Romanian and Georgian are in preparation.

² See for example Tobis David, *Moving from Residential Institutions to Community-Based Social Services in Central and Eastern Europe and the Former Soviet Union*, The World Bank, Washington D.C., 2000, pp. 62. See too the series in three volumes *Changing Minds, policies and lives*, published in 2003 by UNICEF and the World Bank. More detailed references as well as additional resources in the on-line database of ISS/IRC (www.iss-ssi.org/library) and on UNICEF's new page focused on the CEE/CIS, mentioned above (http://ceecis.org/child_protection).

N° 19/1999, August 1999

ARMENIA: Report of a Mission to Assist in Developing a Family-based Policy for Children who are not cared for by their family or at risk of abandonment

Written by DUNCAN William and VITILLO Robert, published by UNICEF in co-operation with International Social Service (IRC - ISS).

Report of a mission to Armenia (12 - 21 August 1998) requested by the Ministry of Social Security (Government of Armenia) and UNICEF-Armenia and organised by the International Resource Centre on the Protection of Children in Adoption of the International Social Service (IRC/ISS) with the purpose of assessing the situation in Armenia regarding the care of children without families, the present system of adoption and foster care, and legislation supporting alternative care systems and come up with proposals for a plan of action to deal with these issues.

Appendix 2: DOCUMENTS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD (EXTRACTS)

○ For the documents of the Committee, see:

<http://193.194.138.190/tbs/doc.nsf> and www.ohchr.org/english/bodies/crc/index.htm.

EXTRACTS

Consideration of the second periodic report:

- ▶ 30/01/2004 Concluding observations of the Committee on the Rights of the Child: Armenia CRC/C/15/Add.225 [CRC/C/15/Add.225](#) Unedited version

B. Follow-up measures undertaken and progress achieved by the State party

3. The Committee welcomes a number of positive developments in the reporting period, including:

- (a) *Amendments of 2002 and 2003 to the Children's Rights Act*, which strengthen the protection of the rights of the Convention in national legislation;
- (b) The adoption of the Human Rights Procurator Act, which entered into force on 1 January 2004, pursuant to which a Human Rights Procurator (Ombudsman) will be appointed within a period of two months;
- (c) The *adoption in 2003 of the National Plan of Action for the Protection of Children's Rights* in Armenia to be implemented from 2004 to 2015;
- (d) The adoption in 2003 of the Strategic Programme to Overcome Poverty to be implemented from 2004 to 2015;
- (e) The approval of the *National Strategy to Combat HIV/AIDS in 2002*;
- (f) The State party's ratification in 2003 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which supplements the United Nations Convention against Transnational Organized Crime;
- (g) The State party's unconditional abolishment of the capital punishment following its ratification, in 2003, of Protocol 6 to the European Convention on Human Rights.

Legislation

7. The Committee welcomes the various programmes and legislative reforms, aiming at strengthening the protection of the rights of the child and bringing national legislation into conformity with the Convention, which are currently being prepared, *including the new family law*. However, the Committee expresses concern about the slow pace in which the elaboration of new legislation is advancing.

8. The Committee recommends that the State party strengthen its efforts to ensure full compatibility of its legislation with the Convention and to ensure that the law is fully implemented in practice.

Coordination

9. The Committee concurs with the statement made in the State party's report that "the need to coordinate children's problems and find solutions to them at the national level is more urgent than ever" (para. 78). The Committee notes with regret in this regard that, apart from the *body set up in 1999 to coordinate the affairs of children deprived of parental care, no standing national mechanism has been established to ensure effective coordination of activities in the field of children's rights between ministries, local authorities and non-governmental organizations.*

10. The Committee reiterates its recommendation that State party take further measures to ensure effective national coordination of activities in the field of children's rights and that adequate support is given to local authorities for implementation of the Convention.

Data collection

11. While acknowledging the establishment of a *data bank with data on adoptions, children in institutions, abandoned and vagrant children*, as well as the detailed data on education presented in the State party's written replies, the Committee reiterates its concern about the absence of mechanisms to collect and analyse disaggregated data on persons under 18 years in all areas covered by the Convention, including the most vulnerable groups, such as children with disabilities, street children, children living in rural areas, refugee children and children belonging to minority groups.

12. The Committee reiterates its recommendation that the State party develop a comprehensive system for collecting disaggregated data as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee encourages the State party to seek technical assistance from, inter alia, UNICEF, in this regard.

D.5. Family environment and alternative care

Assistance to parents (art. 18.2)

33. The Committee recognizes the State party's strong emphasis on the role of family life in Armenian society and its desire to provide adequate care for children in Armenian families. However, it is concerned that *there is a serious lack of community-based services to assist families in difficult circumstances to resolve their problems and prevent the separation of children from their parents.*

34. The Committee recommends that the State party take further measures to strengthen community-based services and other services to assist families in difficult circumstances.

Alternative care (art. 20)

35. The Committee reiterates its concern about *the high number of children living in institutions (incl. boarding schools)*. In particular, the Committee notes with concern the *rising numbers of de facto orphans* in the State party, ascribed to the protracted social and economic crisis in the country where an increasing number of parents find themselves without the means to maintain their children. The Committee also restates its concern, in the light of article 25 of the Convention, about *the lack of adequate and systematic review of the situation and conditions of children living in institutions.*

36. The Committee urges the State party to ensure the effective implementation of the State Strategic Programme for the Reform of institutions Involved in the Care and Maintenance of Children, with a view to reducing the number of children placed in institutions, improving their quality of life and facilitating their integration into society. In this regard, the Committee recommends further training of personnel in institutions and that effective mechanisms be set up to evaluate and monitor the conditions in children's institutions. The Committee encourages the State party to consider expanding the pilot project envisaged for 2004 of supporting children's return to their families or placement in foster care. It also encourages the State party to implement plans to offer one-room apartments free of charge for period of ten year to children discharged from children's homes.

Adoption (art. 21)

37. The Committee notes that a set of instruments were approved by the Government in 2000 which define the conditions and standards for adoption and foster care. It also commends amendments to relevant legislation to *give priority to domestic adoption of children and avoid adoptions from medical*

institutions. The Committee, however, remains concerned about the absence of established mechanism to review, monitor and follow up placement of children.

38. The Committee recommends that the State party ensure that effective mechanisms to review, monitor and follow up adoption of children are established. In this regard, serious considerations should be given to *the establishment of a central authority for adoption*. The Committee also recommends that the State party ensure that the Adoption Act is in full conformity with the Convention. The adoption law should guarantee the right of the child to know his/her origin and access to information about background and vital medical history of both the child and biological parents. Furthermore, the *Committee encourages the State party to ratify the 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter country Adoption*.

Children with disabilities (art. 23)

43. The Committee remains concerned at the *prevailing poor situation of children with disabilities, who are often institutionalized*. Furthermore, while taking note of measures taken to enable children with disabilities to receive instruction within regular schools, the Committee regrets that the access to mainstream and special education of children with disabilities remains limited.

44. Reiterating its previous recommendations, and in light of the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on the rights of children with disabilities (CRC/C/69), the Committee encourages the State party to make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes. The Committee also encourages the State party to strengthen ongoing efforts to integrate children with disabilities into mainstream education. The Committee also restates its recommendation that awareness campaigns, which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities be undertaken, and that adequate training be made available to persons working with these children.

Sale, trafficking and abduction (art. 35)

66. The Committee welcomes the recent efforts made by the State party to combat the phenomenon of trafficking and sale of children in the State party, including the establishment of an inter-agency commission to deal with trafficking in women and children and the amendment of the criminal code in April 2003 whereby trafficking and sexual exploitation are made specific criminal offences. However, the Committee notes that a comprehensive policy to combat trafficking in women, girls and boys is still lacking. *Furthermore the Committee is concerned that refugee children and children living in orphanages may be particularly at risk.*

67. The Committee recommends the State party to:

(a) Adopt and ensure the effective implementation of the National Program to Combat Trafficking, which is currently under consideration, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations by CEDAW in this respect (A/56/38 para 97);

(b) Adopt measures to reduce vulnerability of children, especially refugee children and children living in orphanages, to traffickers and establish crisis centres, telephone helplines and social reintegration programmes for victims of trafficking and/or sexual exploitation;

(c) Conduct further research related to the occurrence child trafficking and strengthen regional cooperation with countries to which Armenian children are trafficked and consider seeking technical cooperation of, inter alia, UNICEF, ILO and IOM in this respect.

▶ 21/01/2004 Summary record of the 924th session, held on 15 January 2004
[E-F-S CRC/C/SR.924](#)

▶ 10/10/2003 List of issues to be taken up [E-F-S CRC/C/Q/ARM/2](#)

Consideration of the initial report:

► 24/02/2000 Concluding observations of the Committee on the Rights of the child [E – F – S](#)
CRC/C/15/Add.119

D. Principal subjects of concern and Committee recommendations

D.5. Family environment and alternative care

Children deprived of a family environment (art. 20)

28. The Committee expresses deep concern over the prevailing policies and practices of institutionalization in Armenia. In particular, the Committee is concerned that institutionalization, quite apart from being an alternative for children deprived of their parents, is effectively a substitute for parents who do not have the means to maintain their children. Moreover, the Committee is concerned at the high numbers of children in institutions, and the living conditions there. The Committee is concerned that these institutions are inadequately organized to provide a family environment, to support family ties or to meet the individual needs of each child; and that few community services are available to assist the parents to resolve the problems that force them to seek admission of their children. In the light of article 25 of the Convention, the Committee is concerned at the inadequate system to review placement, monitor or follow up the situation of children in institutions.

29. Noting that the State party is considering draft codes of practice and regulations concerning placement of and institutional assistance to children deprived of a family environment, the Committee nevertheless recommends that the State party formulate and implement a national policy of deinstitutionalization of children. The Committee recommends that the State party increase and promote the use of alternatives to institutionalization, such as community-based programmes to assist parents and foster care. In the event of the closure of institutions, consideration needs to be given to the planning and provision of substitute services for children who could be displaced by such closures. The Committee recommends further training of personnel in institutions. The Committee recommends that regular periodic review of placement be instituted and that mechanisms be established to evaluate and monitor the conditions in these institutions.

Adoption (art. 21)

30. The Committee is concerned about the absence of national standards and statistics on foster care and adoption. The Committee is concerned that, with the current informal system of foster care, there is no established mechanism to review, monitor and follow up placement of children. Similarly in relation to adoption, the Committee is concerned about vague adoption procedures and the absence of mechanisms to review, monitor and follow up adoptions.

31. Noting that the State party is considering draft codes of practice in relation to national and intercountry adoption, the Committee encourages the State party to establish a comprehensive national policy and guidelines governing foster care and adoption, and to establish a central monitoring mechanism in this regard. The Committee recommends that the State party accede to the 1993 Hague Convention on the Protection of Children and Cooperation in respect of Inter-Country Adoption.

► 09/03/2000 Summary record of the 604th meeting, held on 21 January 2000 [E-F-S](#)- CRC/C/SR.604

► 26/01/2000 Summary record of the 603rd session, held on 20 January 2000 [E-F-S](#)- CRC/C/SR.603

► 26/02/1999 List of issues to be taken up [E-F-S](#) CRC/C/Q/ARM/1

Appendix 3: REPORTS OF ARMENIAN GOVERNMENT TO THE COMMITTEE ON THE RIGHTS OF THE CHILD (EXTRACTS)

Second periodic report:

- ▶ 17/07/2003 Report of State party: Armenia [E-F-S](#) CRC/C/93/Add.6

g. Children deprived of a family environment (art. 20)

1. Under current legislation, children without families are protected in accordance with the provisions of the Civil Code and the Marriage and Family Code.

2. According to data for the beginning of 2001 from the Social Services Administration in the Ministry of Social Welfare:

20,806 families contain children who have lost one parent;

29,968 children in families have lost one parent;

866 families contain children who have lost both parents.

3. A causal relationship may be observed between the rising numbers of de facto orphans and the distortion of social values in Armenia resulting from the protracted social and economic crisis.

4. Analysis of the most acute problems affecting the viability of the family and family policy, together with efforts to address the problems and take practical steps for the social protection and strengthening of families containing under-age children, will make it possible to curb the *rise in the number of children in institutions and help to eradicate this social scourge and return children to their families*. During the first half of 1999, the Ministry of Social Welfare, with the help of local authorities, transferred nine children who had been deprived of parental care and were living in children's homes run by the Ministry of Social Welfare to foster families. This was done under an agreement signed by the Ministry with the municipality of Créteil in France, under which the latter undertook to fund the care and upbringing of children in foster families until they reach adulthood.

5. Since 1999, as a result of efforts accomplished so far, children have been living and growing up in *foster families* where they enjoy an environment conducive to their normal physical, spiritual and intellectual development and their education. They are surrounded by the love and care of all the members of the foster family. Specialists from the administration systematically consult the parents on matters related to the adaptation of the children to life in the foster families, their interaction with all the members of the new family, and their health and performance, and periodic visits to the foster families are carried out.

h. Adoption (art. 21)

6. Article 24 of the *Children's Rights Act* lays down the right of children deprived of parental care to protection, guardianship, upbringing and assistance from the State and its relevant organs, which must arrange for the care and raising of such children through adoption or placement in appropriate children's establishments. Factors taken into account when selecting the form of care are the need for continuity in the child's upbringing, his or her mother tongue, age, sex, and so on. The procedure for adoption is set out in Armenian legislation.

7. Adoption issues are regulated by the Marriage and Family Code (chap. 13, arts. 110-138), the Civil Code, government decisions, international treaties and other legal instruments. In addition, *in 2000 the Government approved a set of instruments regulating the processes of adoption, tutelage and guardianship, drawn up by the Ministry of Social Welfare, as follows:*

(a) A decision approving the adoption procedure, under which, since September 2000, the Ministry of Social Welfare has been maintaining a *central register* of children who are awaiting adoption or have already been adopted, as well as prospective adoptive parents. The decision also defines the conditions in which a child can be adopted, and draws up a list of documents required for the adoption procedure;

(b) A decision approving the regulations governing the Commission on Adoption Issues and its composition, as well as the standard regulations governing provincial commissions, which relate to the activities of the national and provincial adoption commissions;

(c) A decision approving a set of instructions and guidelines for the application of the adoption procedure. The instructions and guidelines specify the bodies whose duty it is to process adoption documents - the national and provincial commissions, maternity hospitals, medical institutions providing preventive care, the authorities responsible for tutelage and guardianship and the Ministry of Internal Affairs;

(d) A decision approving the regulations governing the authorities responsible for tutelage and guardianship, under which those authorities, which possess full information concerning minors who have been deprived of parental care, assist tutors in raising children and organizing their leisure, not only protecting the rights of tutors and guardians but also monitoring fulfilment of the commitments they have entered into. The government decision vests these powers in the Ministry of Social Welfare at the national level, and in provincial leaders at the local level. Every six months these leaders must present to the Ministry a report on the activities of the local tutelage and guardianship authorities.

8. According to information received, 93 children were adopted in the second half of 2000, while tutelage arrangements were made for 153 children and guardianship arrangements for 64 children.

9. In November 2000, for the purpose of clarifying the provisions of these decisions, the Ministry of Social Welfare, with help from the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the National Institute for Labour and Social Research, organized a seminar for senior officials of the relevant ministries and departments, children's homes and medical institutions and representatives of provincial tutelage and guardianship authorities, municipal bodies and heads of local social services centres. The following topical issues were discussed at the seminar:

(a) Realization of the legitimate rights and interests of children in Armenia in accordance with the Convention on the Rights of the Child and the Children's Rights Act;

(b) Adoption, tutelage and guardianship under the Marriage and Family Code;

(c) The adoption procedure and instructions and guidelines for the application of this procedure;

(d) Procedure for monitoring the living conditions and upbringing of children in adoptive families.

10. To date Armenia has not concluded any bilateral treaties on adoption matters or acceded to any multilateral ones, but it has acceded to and ratified the following conventions and agreements on mutual assistance:

(a) CIS Convention on Judicial Assistance and Judicial Relations in Civil, Family and Criminal Cases (23 June 1993);

(b) Agreement between Armenia and Georgia on judicial assistance in civil matters (4 June 1996 and 4 March 1997);

(c) Agreement between Armenia and Romania on judicial assistance in civil and criminal matters (25 March 1996 and 5 October 1996);

(d) Agreement between Armenia and Bulgaria on judicial assistance in criminal matters (26 September 1995);

(e) Agreement between Armenia and Bulgaria on judicial assistance in civil matters (26 September 1995).

i. Periodic review of placement (art. 25)

11. The law addresses this topic in article 26 of the Children's Rights Act, which stipulates that "the State and its relevant agencies shall establish special children's homes and boarding schools for disabled children and physically and mentally challenged children, shall adopt social and economic measures designed to reduce the number of disabled children (by providing therapy), and shall organize the production and acquisition of the devices and equipment they need to lead active lives". In their

activities they are guided by the appropriate legislative and other instruments. Various non-governmental organizations help to monitor the situation in children's institutions.

12. The state of health of children in children's institutions is monitored by the appropriate medical staff of the institutions. Where inpatient treatment is required, children are provided with medical assistance in general hospitals.

13. Beginning in February 2000, a centre for the reception and placement of children has been operating under an agreement concluded by the Armenian Aid Fund and the Ministry of Internal Affairs. Under the legislation governing the Armenian Aid Fund, children aged between 3 and 18 are accepted in the centre, from the following groups:

- (a) Children born out of wedlock;
- (b) Children living and making a living on the street;
- (c) Children belonging to ethnic minorities;
- (d) Children who have become homeless as a result of the war in Karabagh.

14. Medical, social and psychological units also operate in the centre. In future, when necessary, children will also be provided with appropriate documents (birth certificates, passports or draft cards), food and clothing, and temporary housing. Meticulous and consistent efforts are devoted to these children. The issue of whether to return children to their parents is also examined, on the basis of an investigation conducted in accordance with a decision taken by the relevant board, in which persons working in the field of children's affairs participate. If child offenders who cannot be taken to court because of their age arrive at the centre, they are sent to a special school in Nubarashen or Vardashen.

15. Children who arrive in the centre are not only provided with advice, but also benefit from activities in the field of prevention. The circumstances of older children are similarly investigated, leading to the creation of a database containing information on their personal lives, the activities carried out with them in the centre, etc.

Initial report:

- ▶ 30/07/1997 Report of State party: Armenia [E -F-S](#) CRC/C/28/Add.9

Appendix 4: ALTERNATIVE REPORTS TO THE COMMITTEE ON THE RIGHTS OF THE CHILD (EXTRACTS)

1. [Supplementary report to Armenia's second periodic report on the implementation of the UN Convention on the rights of the Child](#)
Author: National Centre for Democracy and Human Rights
www.crin.org/docs/resources/treaties/crc.35/armenia_ngo_report.doc

Adoption of *new Family Code* with its provisions and requirements complying with time and living standards is also of great importance. Here should be mentioned, that one of the main and great violations of the rights of the child (and in general of people) is that officially the size of minimum consumer basket is not defined both for adults and children (minors). This is one of the main reasons as a result of which situation of children both in family and society remains vulnerable.

Appendix 5: OTHER SOURCES OF INFORMATION

REPORTS:

- Médecins sans frontières: « *Enfants en difficulté en Arménie : Quelle protection, quel avenir ?* », 25 septembre 2003, French version
<http://www.msf.fr/documents/base/2003-09-25-msfVF.pdf>

Aujourd'hui, douze ans après son indépendance, l'Arménie reste confrontée à une situation économique difficile, qui engendre la paupérisation et la fragilisation d'un nombre de plus en plus important de familles. Une partie de celles-ci ne parviennent plus à protéger et éduquer leurs enfants. Ces derniers sont alors placés en institution (environ 11 000 enfants dans une cinquantaine d'institutions) ou, phénomène nouveau, vagabondent dans la rue, vivant de petits travaux ou de mendicité.

Des centaines de ces enfants, mis en danger en raison des conditions sociales misérables dans lesquelles vivent leurs familles, sont encore trop souvent assimilés à des enfants dangereux. Raflés dans les rues, ils sont enfermés dans des Centres Républicains d'Education Spécialisée (CRES), qui ne possèdent pas les moyens nécessaires pour les protéger, les éduquer et les réinsérer dans la société.

- *Canadian Embassy in Russia* <http://www.dfait-maeci.gc.ca/canada-europa/russia/embassy3-6-2-en.asp>

NEW LEGISLATION: The new Family Code of the Republic of Armenia was signed by President Robert Kocharyan on 8 December 2004. It came into force on 19 April 2005. The Matrimony and Family Code of 1969 became null and void as a result. Sections VI through VIII of the Family Code regulate adoption.

Adoptions are also regulated by Government Resolution # 64 of February 2000 with the amendments of 24 December 2003 (Resolution # 1936N) and by the Civil Procedures Code of the Republic of Armenia with the amendments of 7 July 2005.

- *UNICEF Armenia* [Armenian orphanage report](#) (Word), 2004

This report presents the results of the survey conducted in the scope of the subproject entitled De-institutionalisation of Children of the Children in Institutions project implemented in the scope of 2002-2003 plans adopted jointly by the Ministry of Labour and Social Issues and UNICEF. The survey was dedicated to the analysis of the situation of children in orphanages under the supervision of the Ministry of Labour and Social Issues (MLSI), organization of their care, education and rehabilitation services.

- *Government of the Republic of Armenia: « Poverty Reduction Strategy Paper », Chapter 7: Human Development,* http://www.gov.am/enversion/programms_9/pdf/chapter_7.pdf

266. Social assistance to children: There are 8 orphanages in the jurisdiction of the Ministry of Social Security (with around 900 children), including two for children with restricted abilities (300 children). In addition, there are also three non-public orphanages, currently serving 150 children. Currently there are 55 thousand female-headed households, in Armenia, where the number of children is more than 63.7 thousand. These households are classified among the socially vulnerable categories. 23.8 thousand of these children (37.4%) have single mothers, 11.1 thousand (17.4%) have divorced parents, and 28.8 thousand (45.2%) children have lost their

male heads of households. Thus the predominant majority of the children in orphanages come from single-parent families; however, in the recent years in orphanages the number of children from complete, but socially vulnerable families tends to increase. Per child expenditures in the orphanages are dram 50 000 per month. Effective 2004, upon adoption of the Family Code and relevant legislative framework, children will move from orphanages to “sponsoring” families and will receive annual 600 000 dram financial aid from the state. In addition to the positive moral aspects of being in these families, which is evident from international experience, this will also be economically efficient and it will also address the problem of housing for the children after graduation from orphanages. Total allocations for maintenance of orphanages in 2003-2015 are projected at the level of dram 366 million, maintaining the level of 2002 in 2002 prices. Except for a few special boarding schools (for children with mental and physical disabilities, minor criminal and special occupation institutions), the other children at boarding schools are the ones from very poor families. It is necessary to place these children in general schools, providing them with the necessary financial resources for food, clothes and school accessories. The issues of social protection of graduates from orphanages and their integration into the society are also important and since 2003, the Government has been implementing the program State Assistance to Orphanages’ Graduates aiming to resolve these issues.

OTHER INFORMATION

- *The United Nations Human Rights System*
<http://www.hri.ca/fortherecord2003/bilan2003>

- *NGO Alternative reports to the Committee on the Rights of the Child (CRIN)*
<http://www.crin.org/resources/treaties/listType.asp?type=ctry>
NGO report on the situation in Armenia of January 2004.

- *UNICEF*
<http://www.unicef.org/infobycountry/armenia.html>

A new Family Code officially recognizes a child’s right to grow up in a family environment. Children enrolled in boarding schools are increasingly returning home to their families after the end of the school day or on weekends and holidays.

General information on the situation of children in Armenia and on UNICEF’s activities in the country.

- *USA Department of State*
http://travel.state.gov/family/adoption_country.html

Notice on Armenian Citizenship Documents for Adopted Armenian Orphans May 5, 2006

The U.S. Department of State has heard from several U.S. adoption service providers and U.S. adoptive families of Armenian-born children that individuals in the Government of Armenia have made requests that such families return the children’s original Armenian citizenship documents such as birth certificates or passports. It is the Department of State’s understanding that some officials of the Government of Armenia may be concerned that the existence of multiple documents in these children’s names could lead to identity theft or other fraud. The Government of Armenia has informed the U.S. Embassy in Yerevan that the return of these documents is not official Armenian Government policy. The Department of State will continue to solicit further clarifications in this matter, but in the interim U.S. adoptive parents may wish to inquire of the requestor as to the potential implications of compliance and non-compliance in deciding whether to return such documents.

Description of the adoption procedure.

- MAI (*Mission de l'Adoption internationale – France*)

http://www.diplomatie.gouv.fr/MAI/ind_pays.html

Bien que la législation arménienne sur l'adoption internationale d'enfants mineurs ne réserve pas celle-ci aux seuls ressortissants arméniens ou d'origine arménienne, la procédure se révèle en pratique extrêmement difficile pour des adoptants non arméniens.

Description of the adoption procedure.

- *UK Department for Education and Skills*

<http://www.dfes.gov.uk/adoption/intercountry/>

Description of the adoption procedure.

