



## Ratification Kit

# Armenia

### **Why is it important for Armenia to ratify the United Nations Protocol to abolish the death penalty?**

**Armenia is an abolitionist country for all crimes and has never carried out any executions.**

Ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Ratifying the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman, or degrading treatment. **It is essential that the world's abolitionist countries ratify this Protocol.**

As a member state of the **Council of Europe**, has ratified **Protocol No. 6** and signed **Protocol No. 13** to the European Convention

for the Protection of Human Rights and Fundamental Freedoms. In **2019**, Armenia is the only country in the world which has signed the Second Optional Protocol to the International Covenant on Civil and Political Rights **without ratifying it.**

### **What are the international commitments already taken by Armenia to ratify the Protocol?**

Armenia strongly expressed its commitment as regards abolition of the death penalty by co-sponsoring and voting in favor of the **seven UNGA Resolutions for a moratorium on the use of the death penalty in 2007, 2008, 2010, 2012, 2014, 2016 and 2018.**

Armenia participated in the **Universal Periodic Review** of the **Human Rights Council** in **2010** and **2015** and was recommended to sign and ratify the Second Optional Protocol. Armenia welcomed those recommendations, supporting them in 2010

and supporting them partially in 2015. On **January 2020**, Armenia participated again in the Universal Periodic Review and supported the recommendations to ratify the Second Optional Protocol to the ICCPR. The Human Rights Council, **of which Armenia is currently a member**, would inevitably commend Armenia if it ratified the Protocol.

### **What are the steps to be taken as regards internal law?**

According to Article 7.2 of the Protocol, it “is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Armenia acceded to the International Covenant on Civil and Political Rights in 1993 then signed the Protocol in 2019** and is therefore competent to ratify the latter.

Among the obligations incumbent upon Armenia following ratification of the Protocol are the **prohibition of executions** and **withdrawal of the death penalty from internal criminal law**. These two obligations **have already been fulfilled** by Armenia. It may therefore now **unreservedly** ratify the Protocol.

According to Article 116.1(1) of the Constitution, the National Assembly is competent to ratify international human rights treaties. However, according to Article 168.3 of the Constitution, the Constitutional Court may decide, prior to ratification, on the conformity of the treaty with the Constitution.

The instrument of ratification must then be deposited with the UN Secretary General (Article 7.2 of the Protocol).

### **What are the legal obstacles to ratification?**

There is **no legal obstacle** as the death penalty has been abolished in Armenia’s Constitution (Article 24.3 of the Constitution).

We therefore encourage Armenia to ratify this Protocol as soon as possible.

### **How can ratification of the Protocol be implemented?**

The Protocol shall come into force three months after the instruments of ratification have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Armenia must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Armenia to ratify **Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances**.

*For more information, contact the World Coalition Against the Death Penalty and visit its website: <http://www.worldcoalition.org/protocol>*