



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ
ՄՇՏԱԿԱՆ ՆԵՐԿԱՅԱՑՈՒՑՉՈՒԹՅՈՒՆ
PERMANENT MISSION
OF THE REPUBLIC OF ARMENIA

2203/1430/2023

The Permanent Mission of the Republic of Armenia to the United Nations Office and other International Organizations in Geneva presents its compliments to the UN Office of the High Commissioner for Human Rights and with reference to the June 1, 2023 communication on the Protection of All Persons Against Forced Disappearance has the honour to transmit hereby the attached information.

The Permanent Mission of the Republic of Armenia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the UN Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Enclosed 3 pages



Geneva, 24 July, 2023

UN OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
Geneva

Question 9

- a. *How is the notion of "short-term enforced disappearances" understood and in which contexts do they occur?*

Response

The notion of "short-term enforced disappearance" is enshrined in Article 451 of the Criminal Code of the Republic of Armenia, according to which; "Enforced disappearance, i. e. denying or hiding by an official, another person, or by a group of persons, authorised or supported by the state, with the agreement or allowed by the state, the fact of deprivation of liberty of a person, deprived of liberty on a legal or illegal basis, or concealing information concerning the person's status or whereabouts, as a result of which a person is placed outside the protection of the law".

- b. *Which are the legal frameworks and practices that may lead to "short-term enforced disappearances", and which are the legal frameworks and practices that might prevent them?*

Response

Separate legal regulations serve as a guarantee for preventing cases of "short-term enforced disappearance", such as point 4 of part 1 of Article 43 of the Criminal Procedure Code of the Republic of Armenia, according to which the accused shall have the right, immediately after arrest or detention, **but not later than within 12 hours, to inform the person chosen by him, and in the case of a serviceman, also the commander about his location.**

Moreover, the Criminal Procedure Code of the Republic of Armenia, parts 1 and 2 of Article 3 of the Law of the Republic of Armenia "On keeping arrested and detained persons" define necessary legal bases, particularly a decision on arrest, a decision on choosing detention as a measure of restraint for arresting, detaining persons, as well as keeping arrested and detained persons in relevant facilities. Part 3 of Article 3 of the same law prohibits the admission and keeping of a person in arrest facilities or detention facilities without any legal basis.